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THE
NEW-ENGLAND PATRIOT:
BEING A
CANDID COMPARISON,
OF
THE PRINCIPLES AND CONDUCT
OF THE
WASHINGTON AND JEFFERSON
ADMINISTRATIONS.

THE WHOLE FOUNDED UPON
INDISPUTABLE FACTS AND PUBLIC DOCUMENTS,
TO WHICH REFERENCE IS MADE IN THE
TEXT AND NOTES.

“READ AND DISBELIEVE IF YOU CAN...BUT READ.”

BOSTON :

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.....
1810.



TO THE

HONEST AND WELL DISPOSED PART OF THE

PEOPLE OF MASSACHUSETTS.

AN ANSWER TO THE QUESTION,

Why are you a Federalist ?

EVERY honest and honourable man would not only wish to be perfectly correct in his opinions upon our publick affairs, but he would desire to be able to give the reasons, to state the facts, and furnish the evidence in support of those opinions.

The distinction, between the two parties which agitate our unhappy country, is in no one respect more obvious, than in the different manner in which their opinions are formed, and the greater or lesser degree of evidence with which they are satisfied.

While the misguided dupes of the democrattick party are perfectly contented not only to form their theoretick notions, but to act in the most important concerns upon the mere assertions of their leaders, often unfounded in point of fact, and always discoloured and distorted, it has been, and we trust it ever will be the pride of all federalists to require substantial evidence of the truth of any important propositions which may be advanced even by those in whom they place confidence.

It is impossible for publick bodies, in expressing their opinions on publick affairs, to enter into all the details of evidence which have contributed to form those opinions; and it would perhaps be derogatory for assemblies, who represent the sovereignty of the state, to presume, that any collateral proofs would be required to justify the sentiments which they may think proper to express.

But individuals are not restrained by any such delicacy, and they ought to recollect that the people at large have not the means of collecting, combining and comparing a vast and multifarious assemblage of facts, spread throughout a great variety of documents, and to be brought together from distant periods of time, so as to enable them to discover their connection, their mutual dependence, and thus to unravel the principles and motives of any particular faction which may have acquired a temporary ascendancy in the country.

Perhaps there could not be a more correct, perspicuous and interesting view of the situation of our country, with respect to its foreign relations, than will be found in the report of the committee of the two houses of the legislature of Massachusetts at their present session. There are however subjects to which their commission did not extend, which have nevertheless an intimate connection with their report, a great multiplicity of details and particulars to which neither the time, nor the dignity of legislative proceedings, would permit them to descend.

It is with the view as well of vindicating the general principles of the Federalists as of supporting the opinions expressed by the legislature, of justifying the luminous results which they have drawn, and of convincing the friends of our country that our state rulers were fully authorised in the expression of their fears of the tendency of publick measures, that it has been thought expedient to exhibit a plain, unvarnished statement of facts.

This will be founded upon publick acknowledged documents, to which references will be made in the

notes, or in the body of the work, upon facts so notorious, that it is presumed every man who has attended even in a slight degree to our publick affairs will be acquainted with them ; or upon evidence of a less publick nature, or facts less known, in which cases the authority will be cited, and the publick will be left to judge of the weight of the evidence.

There are certain things however, which throughout the whole, it will be taken for granted the readers already know, as it would be hopeless to attempt to inform the understandings of those who are at this late day ignorant of them.

For example, it would be thought superfluous to attempt to prove that the government, against the spirit of the constitution, and the interests of a republick, bought Louisiana for fifteen millions of dollars, and hold it as a colony by military force, that they did this just at the moment of the rupture of the peace of Amiens, after the departure of lord Whitworth, and that it was hurried through, lest the declaration of war should intervene and render the bargain either void or questionable.

Such well known facts will be stated without adducing proofs, and as to other more minute and less important ones, in which the evidence may not be easily procured, we must repose ourselves on the candour of the publick, who will form their opinions from the general tenour of our pamphlet, and the rigid adherence to truth which they may discover in other parts of which they may be competent judges.

Having made these preliminary remarks, we proceed to exhibit the scope, and plan of this statement.

In the year 1801, the people of the United States, excited by causes which we all now understand, and impelled by motives and feelings, which, in a free government will ever be fatal to any honest and honourable administration ; deceived, cajoled and corrupted by an abominable system of falsehood and calumny, withdrew their confidence from the founders of our republick, the authors, supporters, defenders and friends of the constitution, and transferred it to their calumniators to

the open and avowed opposers of that constitution, and of that system which was calculated to make us a great, powerful, and happy people.

The great object of this collection of facts is to lead to the inquiry, how far the opposers and successors of the friends and framers of the constitution have fulfilled the promises they made to the Publick—how far they have remedied the abuses which they *asserted* had existed under the former administrations, and how far their measures, on the whole, have conduced to those great national objects which ought to be first in the policy of an enlightened government, peace, security and respectability abroad—union, prosperity, virtue, and happiness at home.

Before we enter upon these considerations, and examine the detail of facts under the different heads, it may be usefull to make a few remarks upon the principles of the former and present rulers as they stood at the time of the change in 1801, and upon the nature of the complaints which were urged against the Federal administrations.

We shall say nothing of the private or personal, of the moral or religious character of these respective chiefs. Not that we consider these questions of no importance to the people, for we do most conscientiously believe, that the evils we are now suffering are in a great measure to be attributed to our offending the majesty of heaven by an indifference about the moral and religious character of our chief magistrate.

But it is not the fashion of the day to consider these things of any importance, and as our object is conviction, we shall only address the people on those points which *they* think important. Our religious friends will excuse us, therefore, if we do not make a contrast between the moral and religious qualities of Washington, and those of the patron, the publick, open and profligate patron of Thomas Paine.

The faults with which the Washington and Adams' administrations were reproached, and for which, by the aid of the most unprincipled calumny, they lost their

standing in the opinions of the majority, were the support of publick credit—the establishment of the national bank—the declaration of neutrality—the building of a navy—the not embarking in the war on the side of France—the resistance to an open demand of tribute made by that nation—the repelling the capture of our ships by a general decree of France—the declaring by the sedition act, that no man should calumniate the government, reserving to the accused the right to give the truth in evidence—the power to send offensive aliens, notorious intriguers, out of the country, (which last power was never exercised)—and the establishment of a standing army.

To these general charges against the government were added some detestible calumnies against the particular members of the administration, against col. Pickering as a great defaulter, and against Mr. Wolcott and Mr. Dexter as having voluntarily burnt their offices in order to prevent a scrutiny into the publick accounts.

It must occur to every honest man, who now looks back upon our publick affairs, how miserably the present administration have fulfilled their threats in neglecting to bring these pretended offenders to publick justice, and in imitating the measures of their predecessors, which they had denounced as most obnoxious. But we are not content with general reflections, and before we enter upon that mass of folly and misconduct, of which the present administration have been guilty, we shall examine in detail the several charges made against their predecessors, and how far the conduct of the present rulers has proved that they had any confidence or belief in the justice of the charges which they had made against the Federalists.

1st. Then, the first unpardonable sin which the federal administration committed, was the establishment of the publick credit—the performance of the publick promises—the redeeming of the pledges, which the people had given, as the price of their liberties. It will seem extraordinary to posterity, that such an act of justice and morality, should have been made the ground

of accusation ; but in failure of more solid objections it was made one of the principal sources of complaint. We are not, however, disposed to enter into these disgraceful periods of the history of faction ; it is our present purpose to shew that the existing administration, after making this clamour against their predecessors, have made it their boast, that they have pursued the *same steps*.—They have the hardihood to take great credit to themselves for imitating the illustrious example of their predecessors, as to publick credit ; and for adopting the wise precepts of our immortal financier, General Hamilton.

Mr. Gallatin, though a man of talents, can claim no other merit than that of having acted as a faithful chief clerk in executing Hamilton's system. The publick debt has been left upon the same basis. Gen. Hamilton's admirable sinking fund and provision for the gradual redemption of the publick debt, have formed the only sources of self-gratulation and praise with the present secretary of the treasury. His system of revenue and collection remains wholly unaltered. May we not say then that it is strange, passing strange, that the successors of this much calumniated statesman have not been able to find *one single measure* in his whole system which could be altered or improved ?

One other fact deserves notice.—A *democratick member* of Congress, after paying a high compliment to Gen. Hamilton's talents, moved at the present session, “ that his excellent report upon the encouragement of *domestick manufactures*, which comprized more knowledge than could be found in any other work on that subject, should be republished at the publick expense.”

This was agreed to, and that work is now before Congress. This is a tribute to his memory less questionable, and more honourable than statues of marble or bronze, because it came from his enemies ; it proceeded from a party of men who had been his calumniators when living, and who, though they have directed returns to be made, of the state of our manufactures from every part of the union, by this measure, confess

that they do not possess talents enough to do as much justice to this subject, as was done at so early a period by that single unassisted intelligent statesman.

One other idea it is necessary to urge before we quit this part of the subject. Mr. Gallatin, in his late report, acknowledges that in case of war, our chief reliance must be *upon loans*, and that those loans cannot be effected without a scrupulous regard to publick faith and the discharge of the interest of the publick debt.—Mr. Madison, also, in his late extra message to Congress, congratulates the publick, that our *publick credit* is so good that we may safely calculate on loans for the necessities of the state. It was by Hamilton's system supported by the Washington administration, that this *publick credit* was founded. Who *opposed it*? Mr. Madison, or if he chuses to forget it, the *Journals of Congress* will tell. Suffice it to say, that Mr. Madison and Mr. Gallatin offer a proud triumph to federalism, and a noble eulogy to Hamilton in their congratulations as to the state of our publick credit, while at the same time, they condemn to shame and disgrace their own party, who counselled a disregard to the plighted faith of the publick.

2dly. The establishment of the national bank, formed another fertile source of complaint. It was opposed on the ground that Congress had no right to create any monopoly.—But no sooner had the democrattick party acquired the ascendancy in all the branches of the government, than all these complaints ceased.—They were as ready to avail themselves of this useful and necessary instrument of finance, as if they had been the original framers of it; and Mr. Gallatin has already anticipated a considerable accession to the treasury, from the renewal of this illegal and unconstitutional charter.—“*Tempora mutantur et nos mutamur cum illis.*”

3dly. The next objection of our consistent democrats, while they were labouring to pull down the administration of Washington, was to the wise declaration of neutrality.

Mr. Jefferson was not ashamed to hold an office under the government, and defend by his official labours the just and prudent measures of the administration and at the same moment to maintain a press, edited by his own clerk, Mr. Freneau, to abuse these very measures.

He leagued himself with the French ministers Genet and Fauchet, in their attempts to subvert the authority of the administration (of which he was a member) and gave them just reason to compute him among the number of their faithful adherents. See the letters of Mr. Fauchet on this subject.

As soon, however, as this party had got a firm footing in our publick affairs, they had the impudent inconsistency to boast themselves to be the friends of an impartial NEUTRALITY.

This magick word has been the talisman by which they have been enabled to assail with success the dearest interests of the United States. This boasted neutrality, which they had so openly and strenuously opposed, is however, but the shadow, the ghost of that honest principle which governed the counsels of our departed Washington. Under colour of this empty, but with them despised and contemned name, they have assiduously and faithfully subserved the views of France, and have made our rights and interests tributary to her inordinate, ambitious, and selfish views.

4thly. The next popular string upon which our democratick leaders most successfully played, was the building of a navy.

It was denounced as an useless, expensive measure of defence; calculated to provoke rather than to repel foreign aggressions. It was contended that foreign commerce was not worth the expense of its defence.— In order to keep up some appearance of consistency one of the first acts of the new administration was to sell a part of our navy, to dismantle the rest, and to haul them up to a speedy and certain destruction.

But mark the sincerity of these men! As soon as it became expedient to stir up a quarrel with Great Britain our consistent patriots resorted to the very weapons which they had denounced. They changed however the form, and with the ignorance and pride of visionary men, they substituted the inefficient system of gun boat defence. We shall reserve to another head the particular consideration of this policy, but it is sufficient to say, that this theoretick experiment in point of expense, vastly exceeded that of the regular and honourable system which was abolished to make way for it.

It has involved the nation in serious calamity, and the authors of it in disgrace. It may be added that it is now abandoned by all its friends, without having answered any useful purpose, unless its tendency shall be to awaken the country to a sense of the incapacity and folly of its projectors.

One other idea, is necessary to be stated on this topick. The government are now about to order *all the frigates* of the United States, to be equipped, and have appropriated six hundred thousand dollars, to repair the ravages made upon them by their own folly. Thus then at the end of eight years, they pay a reluctant but unequivocal tribute to the wisdom of their predecessors.

Mr. William B. Giles, the organ of the Executive in the Senate, has made a formal recantation of his errors on this subject in a late speech, and expresses his horror at that Vandal like spirit, which represented a navy as an improper mode of defence. He has the modesty to adopt as his own, and as the opinion of administration the maxim of Washington, "that to preserve peace, the surest mode is to be prepared for war."

5thly. It was objected against Washington, that he was unwilling to embark the United States in the war on the side of France.

The answers and refusal of our cabinet to Mr. Genet, when he urged them to pledge this rising republic in favour of the French system of general warfare

on ancient governments, were the theme of constant abuse.

In this single case, however, they have been consistent; for although they have not dared openly to propose in Congress an alliance with France and war with Great Britain, yet their friends and partizans have uniformly urged this measure, and the cabinet have done every thing in their power to provoke Great Britain to hostilities, so as to shift the odium of a war from themselves upon the British government.

6thly. The next charge against the federal administration was, their resistance to the open and direct demand of tribute; the impudent claim of fifty thousand pounds sterling, as a bribe or *douceur*, to admit our ministers to an audience, of which Mr. Gerry gives such a picture, in the history of his interviews with certain corrupt French agents of both sexes. Coupled with this insult was an open declaration of war against our commerce. Yet these democrattick gentlemen, so alive as they pretend to the honour of our country, overturned the federal administration, because they dared to repel these hostile aggressions and insults of France.

Now, fellow citizens, mark the contrast!—A simple duty laid by Great Britain on such neutral vessels as should voluntarily enter her ports, and request licenses though accompanied by a declaration that it should be removed if we should prefer it, is converted into an odious *tribute* not to be endured; and the retaliation in less extensive terms of a previous aggression by France, is declared to be just cause of war, and our nation is put to an infinitely greater expense and loss to repel this retaliatory order, to say the least, vastly more excusable than the unprovoked injuries of France, for resisting which the late federal administration were displaced.

7thly. It was another fertile source of complaint against the federal administration, that in a moment of external danger and of virulent internal opposition they made a law to punish seditious writings against

the government, reserving to the party accused the right to give the truth in evidence. This was an amelioration of the common law principle; but it was opposed on the ground that the press ought to be perfectly free, and that "error was never dangerous where reason was left free to combat it." As soon, however, as the democratic party had gained the ascendancy, it was perceived that their only objection to the sedition law, was the right which it afforded to the citizen to give the *truth* in evidence.

The Worcester Farmer, written as it is now understood by Mr. Lincoln, denounced all free discussion upon the measures of government, declared that every species of "oppugnation" to the constituted authorities, either by speech or the press, should be considered "treason, and punished as such;" and the democratic leaders proceeded to institute prosecutions at common law, to set up the ancient arbitrary principles of the court of star chamber, and to fine and imprison writers in the newspapers for daring to exhibit to the people the true state of the publick affairs.

8thly. It was a charge against the federal administration, that in a moment of great political danger, they authorized the President to send out of the country such aliens as should be found intriguing against the national government, and under foreign pay, stirring up opposition to our own constituted authorities. This power was, however, never exercised in a single instance.

Yet these friends to the right of aliens have made no hesitation in denouncing our own natural born citizens, for a constitutional exercise of their rights, and have constantly threatened confiscation and banishment to those persons who have dared to question the correctness of their measures.

9thly. Another most prolific source of complaint against the federal administration, was the establishment of a *standing army*. To the jaundiced and *consistent* eyes of our democratic patriots, a publick and puny force of 5000 men was magnified into an immense military

hydra, capable of devouring, not only all the regular militia of the United States, amounting to half a million of citizen soldiers, but of reducing the nation to a state of absolute vassalage.

This to be sure was ludicrous enough, but its *absurdity* is not equal to the *inconsistency* of these same patriots, who contend, that our militia are abundantly able to cope with the whole armed legions of France, and who represent the fears expressed by the intelligent federalists on this subject to be the result of cowardice, and a disposition to debase our country. “See on this subject, Mr. Adams’ Phillippick against the Hon. Mr. Ames.”

Nor is this the most *inconsistent* part of their conduct. These same enemies of a *standing army* have in their turn become the most strenuous advocates for the same measure. When the maritime superiority of Great Britain has rendered the probability of an attack from France infinitely smaller, these same *militia advocates*, and enemies of a regular force, have created, and have now proposed a much more formidable military force than their predecessors ever dared to create.

The standing military force now actually in pay (including the *dead and sick*) is as great as that, which at any one moment was raised by the federal administration.

If we add to these, the twenty thousand volunteers, who are to be actually embodied, and to whom a bounty is offered, to induce them to cut the throats of the opponents of the administration, we shall find that the only objection of our pious democrats, was to the existence of a military force in the hands of their political opponents. They have no scruple of conscience at the wasting of the publick money, or the danger to the publick liberty, by a military force, armed and commanded by their tools.

But there is another view of this subject, which is calculated to put our democratick party to the blush.

The military force under the federal administrations most strictly respected the rights of the citizen—in no

one case were they employed to dragoon their fellow citizens into submission to unjust and arbitrary mandates.

Under the present administration the *only active*, employment of our army has been as tide waiters and spies. Wilkinson, the corrupt, profligate, traitorous Wilkinson, trampled the rights of the citizen under foot, despised the decisions of the judiciary, violated the privilege of habeas corpus, squandered 56000 dollars on articles of personal luxury, destroyed a whole army by disease, and is still continued in the confidence of the executive.

Even in this gallant and highminded state—in this town so renowned for its noble resistance to military oppression, we have seen a subordinate military officer, with a little brief authority, which a single regiment could have defeated, brave the resentment of this free and loyal people, put our town in a state of siege, and subject us to all the contumely and insult which the satraps of a despotick tyrant could inflict on a subjugated and miserable people.*

10thly. For many years before the democrattick party gained the ascendancy in our country, they circulated calumnies against the officers of the government, charging them with gross peculation of the publick property.

It was alleged, that Col. Pickering was a publick delinquent, and stood indebted to the United States in large sums, totally unaccounted for. An inquiry was instituted into the affair, by his political enemies, as soon as they came into power, and the result was, that his accounts were satisfactorily settled, though it appeared that by order of his superior officers, he had expended money, for which no regular appropriation had been made by previous law.

Willing to permit him to remain in this situation, in order to enable their partizans to repeat their calumnies, they neglected till the present session to make an ap-

* For particulars on these points, see notes at the end of the volume.

propriation to cover the actual expenditures which he had made, by order of his superiours.

Now, we are told by the *Chronicle*, printed in Boston, the very paper which has so often repeated the calumny, "that Congress, as a matter of FORM, had made an appropriation to settle his accounts." See *Chronicle of February, 1810.*

This very party then have at last conceded, that this clamour was only a *matter of form*, and have admitted the fairness and integrity of this officer.

Charges of a similar nature were advanced against Mr. Wolcott and Mr. Dexter, and it was added, that their offices had been intentionally burnt, in order to cover their defalcations.

No other answer need be given to these most infamous lies, than that the present administration have been eight years in possession of all the means to convict them without taking a single step to bring them to justice. But we have a more convincing reply; the accounts of these gentlemen have been fully examined by their enemies, and the result was most honourable to them. Neither of them is included by Mr. Duvall, in his official report of balances due the U. States; and the government composed of his inveterate enemies, have gone so far as to *indemnify* Mr. Dexter for his loss by the fire, to which his office was unfortunately exposed.

11thly. It was an objection to the late administration, that they expended money for which no appropriations had been made by law. The truth is, that it is impossible for Congress to foresee and provide for all the casualties which may occur during the recess. It has always happened that some appropriations have been too large and others too small. It has been the practice, and a most useful one for the President, in some cases, to authorize the heads of departments to apply the unnecessary surplus which had been appropriated to one object, to the deficiency which might be found in another.

This system did not, however, suit the fastidious and refined politicks of the democrats. These *honest and virtuous* men, who have plundered the publick of millions without pretext, could not endure the lesser offence of saving the state, by applying an useless fund to an object where it was wanted.

But since they came into power, there has not been a single appropriation by law, in which they have not followed the example of their predecessors, which they pretended to condemn.

In the very first year of Jefferson's administration, he expended an immense sum in the disgraceful repair of the French frigate *Berceau*, for which no appropriation had been made by law, and his obedient though inconsistent Congress ratified the procedure.

In order to elude the principle, that every expenditure shall have a specifick appropriation to warrant it, Congress adopted a very cunning mode, of authorizing the President to transfer any specifick appropriation from one object to another. This, if carried to extremes, would compleatly defeat the provision in the constitution, that the two houses should have the exclusive right of directing the appropriation of the publick money. Such has been, in fact, the operation. By Mr. Hamilton's late report, we find that 94,153 dollars have been transferred, by Mr. Madison, from the article of *provisions* to which Congress limited it, to that of repairs of publick vessels; and another sum of 18,000 dollars, has been transferred from the same object, in the same manner. We are not disposed to censure these variations because the publick good may require them, but we say that they are *gross evasions* of the principle, for which the democrats strenuously contended. It signifies nothing to the people, whether the President applies and Congress ratifies, or whether Congress authorizes the President to transfer any sums he may please from one stated appropriation to another. In either case, the power of Congress and their right to judge of the necessity of the expenditures

cease. That the people may judge how far this power has been abused we will simply state, that upwards of 100,000 dollars were expended in eight months, at New Orleans, where there were only 22 gun boats and two bomb-vessels; and that six of these gun boats are reported as already unfit for *service*, before any one of them has yet seen *any service*. See Hamilton's report to Congress, dated Dec. 5, 1809.

12thly. It was a most fertile source of complaint against the late administrations, that our foreign intercourse was too extensive; that the tendency of thus enlarging our connexion with foreign nations was to endanger our peace, and to expose the United States to the influence of foreign intrigues, and to the evils of foreign wars; that besides these considerations, the expense of such embassies was a subject of serious alarm.

Let us see how far the conduct of our present rulers has quadrated with their professions.

Holland having been totally merged and become a province of France it was no longer necessary to keep up a foreign minister with her. It is not to be doubted that such would have been the policy of the federalists.

But the salaries of all the foreign ministers have continued the same; and the government have lately added a *new* foreign mission to those which formerly existed, and this not only without any honourable pretext but against the express vote of an obedient senate, who had declared no such mission was necessary.

Here then we have another proof of insincerity in their objections to the policy of their predecessors.

Would to heaven this was the only reflection which this late appointment of Mr. Adams excites!—But we cannot refrain from expressing our fears, that this mission will produce all the evils which this party foolishly affected, without reason, to fear from the foreign embassies which were made by their more prudent predecessors.

We could extend this picture to a variety of other instances of the unfounded objections to the federal ad-

ministrations, but we conceive that we have given sufficient proofs of the insincerity, and falsehood of the charges which were urged against them by their enemies, with no other view, as it now appears, than to get possession of the government, and to be enabled to squander its resources among their unprincipled adherents.

Before we proceed to display the evils which have resulted from the change produced in the internal administration of our country, let us contrast the character and conduct of Washington with that of Mr. Jefferson. As to Mr. Adams, who has surrendered his reputation into the hands of his former enemies, we shall leave them to draw whatever contrast they please between him and our present chief magistrate, Mr. Madison.

Washington, originally was a soldier; he hazarded his life and an ample fortune in the service of his country. Even his enemies profess to be his panegyrists, and are willing, now he is dead, to pay a hypocritical tribute to his memory.

That Jefferson cannot make any pretensions to the martial virtues; that he made no sacrifices of personal safety, or by any efforts of exalted courage, the silence of his friends on these topics most abundantly proves.

Washington had no foreign predilections; his education, habits, and feelings were all American. Hence, we find in his administration, he exhibited a strict impartiality towards foreign nations, and consulted only the best interests, welfare, and peace of the United States.

Mr. Jefferson passed a very interesting period of his life at the court of France—His mind had a strong bias in favour of the visionary systems of the French philosophers and œconomists—He contracted firm friendships and warm prejudices, in favour of France, during his residence at that corrupt court, and he returned to this country a Frenchman in manners, sentiments and feelings.—It is a fact well known to those who have seen him intimately, that his prejudices in

favour of France, were exhibited in his dress—in his mode of living—in his literature—in his sentiments upon religion, but what was more unfortunate for his country, in his political opinions. He entered deeply into the French antipathy against Great Britain, and like all other violent theorists, he has anticipated as well as anxiously desired the downfall of the British empire.

These circumstances ought to be known in order to explain the very extraordinary course of his administration—Taking these facts as a clue, we may be enabled to trace the intricate labyrinth of his political conduct which it is proposed to exhibit hereafter in detail.

Washington was president of the convention which adopted our present constitution—He gave it not only his sincere assent, but the well merited influence of his name.

At that period Jefferson was studying infidelity and the holy right of insurrection at Paris—He returned to this country to partake of the honours and rewards which the Federal constitution held out to eminent men, but with a heart embittered even to rancour against its provisions.

This will be considered by some persons, as the tale of past times, and as losing a portion of its interest by its antiquity and triteness, but it is nevertheless important as a preamble to the history of his administration—Jefferson's invaluable letter of treachery and precious confession written to his Atheistical Italian friend Mazzei is the index of his character and sentiments—That infidel philosopher resided some time as an inmate in Mr. Jefferson's family—it was to this bosom friend that our late chief magistrate declared, when passing a church in ruins, that "it was good enough for one who was born in a manger."

Is it surprising, that a people who should have knowingly promoted such an infidel to rule over them, should have been reduced by the divine judgments to the state

of distress, in which he left them at the conclusion of his period of service?

To this same Mazzei, our late chief magistrate Jefferson, whose name will be held in detestation, by our remotest posterity, declared "that the executive, judiciary, and a large majority of Congress were under the influence of the whore of England," and this too at a time when Washington, his patron, and personal friend was at the head of the government.

Washington promiscuously appointed men of all politicks to the various offices of honor, profit, and trust.

The names of Jefferson, secretary of state, Randolph attorney general, Jarvis inspector of revenue, in Massachusetts—Melville inspector of the customs in Boston, bitter enough for any party—Dearborne marshal of Maine—Whipple and Gardner in Portsmouth, will be sufficient among a thousand others to prove the conciliatory policy of our first excellent chief magistrate.

Jefferson, entering office with the French duplicity in which he had been educated, professing that party distinctions ought to vanish, and that we were "all federalists, all republicans," introduced the most corrupting and intolerant principles, not merely by confining honours to his own political sect, but by punishing men, for daring to oppose his election and principles, and depriving them of offices to which they were entitled, in order to bestow them upon wretches who have preyed upon the vitals of the body politic.

This conduct, of which Jefferson set the first example, is neither more nor less than downright *venality*—all publick offices, are set up for sale, and men of talents are invited to become the bidders by sacrifices of their principles, and of their party—Thus we have seen many men of distinguished abilities entering into this auction of character, and bartering their virtues and their God for paltry profit and disgraceful honours.

Washington recommended a strict impartiality towards all nations, and an adherence to the system of keeping ourselves aloof from European politicks.

Jefferson assiduously endeavoured to form the closest possible intimacy with France, and to plunge us into an open contest with Great Britain.

Washington, always conscious of his integrity, expressed himself openly, freely, and *frankly* to the nation, in language plain, perspicuous, and easily comprehended by all classes of citizens.

Jefferson, formed on the crooked policy of the French statesmen, sought to conceal his designs in dark ambiguous and forced language, filled with involutions of style, which may be made to mean any thing or nothing, as he might afterwards find to be convenient or political.

We could pursue this parallel to a much greater extent, but we think that the publick will now be sufficiently prepared for that history of inconsistency, folly, corruption, and imbecillity—of foreign partiality and hostility to the commercial interests, which a candid statement of the facts, which took place during Mr. Jefferson's administration, will undoubtedly exhibit.

In stating (which we shall do as briefly as is consistent with perspicuity,) the various measures of Mr. Jefferson and of Mr. Madison, which have reduced this country from the high, honourable, and safe ground upon which it stood, with respect to all foreign nations at the moment when they came into power; we shall arrange the subject into seven general heads, for the sake of perspicuity, and we shall adduce under each head the facts, numerically arranged, which tend to support our general charges.

The publick may rely upon it, that we shall state nothing which we cannot prove by authentick evidence or publick documents, and we invite and challenge the officers and adherents of the administration to controvert the facts alleged, or to institute prosecutions in our courts of Law, in which owing to the noble sentiments of the Massachusetts Judiciary it has been settled, that the truth may be given in evidence,

thus placing the citizen on as *favourable* a footing as that in which he stood under the sedition act.

HOSTILITY TO GREAT-BRITAIN.

1. THE FIRST GENERAL CHARGE which we advance, and mean to substantiate against the administration, is that of an undue and unreasonable spirit of hostility against Great Britain—a fixed resolution to foment and keep alive in our country, strong prejudices against that nation—to avoid all adjustment of differences with her, and gradually to force her into a contest, or to impair her resources and means of defending herself against the common enemy of mankind, France.

This charge is supported by the following facts.

1st PROOF.

NEGLECT TO RENEW TREATY.

1. By the neglect and refusal to renew Mr. Jay's treaty when it expired—Whatever might have been the fears, and the prophecies against that calumniated and unpopular convention at the time it was ratified, the experience of ten years, abundantly proved that it was calculated to protect our commerce and to encourage our enterprize.

All the terrible predictions that it would tend to reduce us to the state of colonies yielded to that surer test of all political opinions, experience—Under the influence and protection of that treaty, our East India trade increased from one million to ten millions of dollars per annum.

Our revenue from six millions to twelve—our commerce was protected and our flag respected in every sea.

That it might have been renewed the writer of this article knows from the high and unquestionable authority of Col. Munroe then ambassador at London.

The British cabinet were so desirous of continuing the amicable relations of the two countries, that they proposed the renewal of the treaty, for two years during which, the two high contracting parties might enter into discussions as to such articles as either of them might wish to amend or alter—The British government carried their disposition to amity still farther—they directed their officers in India, we have reason to presume to act upon the articles of that treaty, as if they were still in force, and it is a fact, that for more than four years after its expiration, the British officers in India continued to respect its stipulations.

But though our dearest interests called for the renewal of this treaty—though all the evils we have since suffered, would have been avoided by such a measure, yet our cabinet preferred to hazard our peace, and jeopardize our commerce, rather than agree to a measure which would tend to preserve a good understanding with Great Britain.

2d PROOF.

NON-IMPORTATION ACT.

2. When the extension of the rule of 1756, by the British courts of admiralty, to cases which they had before suffered to pass without notice, (we allude to the doctrines of continuity of trade,) roused our merchants in 1805, to solicit of congress measures of remonstrance, it was the understanding and wish of the mercantile interests that congress should commence a negotiation in a genuine spirit of accommodation—Such an embassy conducted upon honourable principles would not have failed to be successful; this we have a right to presume, from the success which in fact did attend the negotiation, notwithstanding the disadvantages and insults to Great Britain, under which it was undertaken. The government of the United States, instead of sending Mr. Munroe unfet-

tered with restrictions, and unaccompanied by hostile measures, passed the non-importation act, prohibiting the introduction of certain British commodities, the language of which could not be misunderstood, and was intended to be understood as declaring, that if they did not come to our terms, this rod which we held over them, should be suffered to inflict the punishment which we pretended that they merited.

This conduct was precisely like the policy of the same party, at the time of Jay's negotiation—It was then proposed, that the negotiator should be armed with the terrors of our resentment, but the pacifick and prudent policy of the Washington administration, defeated that project.

This is another proof of the insincere manner in which our present rulers negotiate with Great-Britain.

Mr. Munroe was moreover, especially instructed, not to conclude a treaty, unless the right of impressing BRITISH seamen in our vessels should be explicitly relinquished. This point proved the stumbling block as was predicted.

3d PROOF.

REJECTION OF MUNROE AND PINKNEY'S TREATY.

Notwithstanding the disadvantages and impediments under which the negotiation, by Messrs. Munroe and Pinkney, was undertaken, yet those gentlemen, meeting with an administration in Great Britain more favourable to this country than any which had ever before, or will ever, probably, again exist, were enabled to conclude a most advantageous and honourable treaty.

The terms of that treaty were so satisfactory to our envoys, that they wrote the President, that they had concluded a convention which embraced all the objects committed to them.

The President himself, on the 3d of February, 1807, expressed the *same opinion*, in his message to Congress.

Yet when this satisfactory arrangement arrived, this same President sent it back with indignity, without submitting it to the judgment of the senate, as had been the invariable practice in such cases.

Can we have a stronger proof, of a determination of our cabinet to prolong the state of dissension between us and Great Britain, and to preclude the possibility of amicable settlement?

Two reasons have been privately assigned, for this abrupt measure, neither of which, will in any degree, justify it.

1st. That it contained a note, added by the British government, after it was signed, derogatory to the honour and interest of the United States. This note, so much misrepresented, has since been displayed to the publick. It amounted only to an honourable notice, on the part of the British cabinet, that if we should submit to the French decree of Berlin, his Majesty should reserve to himself the right to retaliate.

Such a right was neither strengthened or weakened by this declaration; and it could be viewed in no other light than as a friendly warning, that Great Britain would feel herself authorized to resort to the acknowledged law of retaliation, in case we should neglect our neutral duties, so far as to submit to the infraction of our neutral rights by France; *infractions*, in which Great Britain was directly interested, as the decrees were on the face of them, aimed solely at her through the commerce of America. If Great Britain had not adopted this honourable course of previous notice; if she had followed the example of France, and had retaliated without any preceding intimation, there would have been no limit to our clamour and just complaints.

2dly. The only other objection to this most excellent treaty, rejected with so little ceremony, and so little regard to the best interests of the United States, was, that it contained no stipulation as to the claim of Great Britain, to take HER OWN *seamen* out of the merchant ships of the United States. We say nothing of the opinion,

so often expressed by all commercial men, that it is inexpedient to make this point a *sinè qua non* of a treaty. We say nothing of the limited exercise of this claim by Great Britain, of late years. We say nothing of the uniform practice of *other* belligerents, of enforcing the same pretensions, especially *France*. We say nothing of the opinion expressed by the former administration, of the minor nature of this grievance, by their having made treaties and conventions, in which it had been overlooked; nor of the intrinsic difficulty of settling this most delicate question between a belligerent and a neutral, whose seamen are so confounded in language, manners, and feelings; and where the neutral offers such strong inducements from high wages and personal security, for desertion, from the belligerents, fighting for existence. We purposely overlook all these considerations, which are of immense weight, and confine ourselves to the answer of Col. Munroe, a democrat, appointed by Jefferson; who declares in print, that "on this point, he had concluded an informal arrangement with the British government, which, he conceived, embraced the *spirit* of his instructions."

It appears then, that the treaty was rejected, without any solid or even plausible prettexts, and this rash measure* affords the strongest proof of the indisposition of our cabinet, to heal the differences against Great Britain.

4th PROOF.

PROCLAMATION INTERDICTING BRITISH SHIPS OF WAR.

The next proof I shall cite of the disposition of our cabinet, to widen the breach between us and Great Britain, is the President's proclamation interdicting the entry of all British ships of war, after the affair of the Chesapeake.

No principle, in the law of nations, is better settled than that nations cannot resort to acts of hostility or re-

* See note on this subject at the end of this pamphlet.

satisfaction for the malconduct of inferior officers, until a demand of satisfaction has been made of the government whose officer has been guilty.* We had an illustrious example of this principle, and of the true dignity of procedure, in the case of the insult offered by Capt. Stanhope, in 1787, to Gov. Bowdoin, in this State. A remonstrance was made to Great Britain, and the offending officer was cashiered. We complain of the neglect and delay of Great Britain, to give satisfaction for the attack on the Chesapeake, when the only barrier, and a barrier purposely interposed by our government, has been the obstacle to a complete atonement.

Such a measure as the interdiction of British ships, can only be viewed as hostile, and founded upon the presumption, that the government of another country is not disposed to do us justice.

Now, however true we may believe this to be, it is wholly inconsistent with the etiquette and the delicacy which ought always to govern independent states.

If Mr. Jefferson had waited only three months, he would have found that Great Britain regretted and disapproved the conduct of Admiral Berkely, as much as we did.†

5th PROOF.

REJECTION OF MR. ROSE.

But 5. This rash, I will not call it unadvised step (because I think it was designed) proved the only obstacle to *Mr. Rose's mission*. That minister was a solemn envoy from the second power in the world, and I believe he was the only one which that nation has sent for several centuries to offer satisfaction to any nation. He had but *one* restriction, and that every man of sense foresaw he would have.—“I will acknowledge, said the king of Great Britain, the act of my servant to be unauthorized. I will give you due compensation

* See note on this subject at the end of this pamphlet.

† See note on the subject of Berkely, at the end of this pamphlet.

for it, but I cannot do this, *so long* as you pretend to *compel* me by *force* to perform that which I am ready to do, from a sense of justice and propriety."

Precisely to this point of insult, our cabinet most pertinaciously adhered. As soon as it was discovered that Great Britain (as was foreseen) would not yield it, it was determined to insist upon it; and yet no plausible reason can be given for this obstinate adherence.

It was pretended that the measure was merely precautionary; that is, that it was founded on the fear that the attack on the Chesapeake might be followed by other like outrages; but as soon as Great Britain disavowed and condemned the act of her servant, we could calculate safely on a total change of conduct, on the part of her officers. Such, was in fact, the result. There could be no motive then for an offensive adherence to these insulting interdictions, except the solemn, deliberate, and abundantly supported determination to reject all proffers of accommodation from Great Britain.

6th PROOF.

THE PUISSANT AND WISE EMBARGO.

The next measure of hostility to Great Britain, which might equally be cited under our *second* general head of devotion to France, was our most puissant and unprecedented embargo.

Such a measure, new in the annals of civilized and commercial states, so obviously destructive to ourselves would require some extraordinary reason for its adoption.

The infamous duplicity with which the measure was recommended, hardly had a chance to strut its hour upon the stage before it was hissed off by the people, and abandoned by its authors. As a measure to "*save our resources*" from the grasp of the two contending belligerents, it was ridiculed almost before it was promulgated, and was soon stripped of all its deceitful plumage, and made to appear in its naked depravity, as a publick attempt to starve the British colonies, and to co-

operate in the French system of destroying the general commerce of Great Britain.

The previous prophecies of such a measure in France—the adoption of it in three days after the arrival of the dispatches from that country—the notice given by our minister in France to all American vessels, that an embargo would be imposed—the subsequent approbation of that measure by the emperor's agents Champagne and Hauterive, but above all the Bayonne decree, which undertook to enforce our embargo without our leave, by ordering the capture of all American vessels, under any circumstances, all prove that the measure was solely intended to operate against Great Britain.

Thus Mr. Canning understood it, and we cannot recollect his sarcastick taunts upon our administration, on this topick, his hint that “our embargo had a most unaccountable and strange coincidence with the French decrees against Great Britain,” without blushing for the rulers of a free and *neutral* country who could justly expose themselves to so lacerating and mortifying a reflection.

One other idea we ought not to overlook upon this occasion, that our government which appears so extremely sensible to a proposition on the part of Great Britain, that she may be permitted with *our leave* to enforce our non-intercourse with France, in which she is so *directly* interested, should have suffered to pass not only without remonstrance, but without remark, the Bayonne decree which without *asking our permission* undertook to enforce our municipal laws.

7th PROOF.

NON-INTERCOUSE ACT.

The continuation of the same spirit of hostility to Great Britain, is to be found in the Non-Intercourse act. This measure may be considered as the feeble effort of a party driven by the publick voice to abandon the ruinous policy of the embargo, which had covered its authors with shame and disgrace; and it presented

fresh proofs of their determination to co-operate with France in her scheme of destroying the commerce of Great Britain. Its *nominal* impartiality, not disguised even in the language of its supporters, who openly expressed, during the debate, their rancorous hostility to Great Britain, did not deceive either of the belligerents. By France it was considered as a loyal proof of our hearty co-operation in her views, and by Great Britain as another harmless though vindictive effort to paralyze her commerce.

Its motives were rendered obvious by the state of the European powers; for while it was apparent that the *effective* blockade of the continent by Great Britain would have rendered all trade with France or her allies impracticable, and therefore our non-intercourse absolutely a nullity as to France; the humble state of the French marine left the full effect of our non-intercourse act to operate against Great Britain—to operate against the only nation which respected our flag, or which paid the smallest regard in *point of fact*, though not so much in *profession*, to the neutral rights of America.

8th PROOF.

THE OFFENSIVE TERMS USED BY OUR ADMINISTRATION IN MR. ERSKINE'S ARRANGEMENT.

We shall notice as an eighth proof of the hostility of our rulers to Great Britain the offensive terms in which the arrangement with Mr. Erskine was concluded.

We shall omit for the sake of brevity the other collateral circumstances, lately developed which prove beyond contradiction that this arrangement was concluded *mala fide*, (that is) without any wish or expectation that it would be carried into effect. We shall of course omit to mention the circumvention of a feeble minister by all the members of our cabinet; the hopes which they led him to entertain that all the objects of his precise instructions would be accomplished in an informal but certain manner—the inducements which they held out to him with ill faith, which he communicated to his

cabinet, and which formed the basis of his instructions—the concluding an arrangement under the authority of an act of Congress without pursuing the letter or the spirit of that act by requiring the actual repeal of the British orders—the neglect to demand of this minister his special powers which our *own former* usage and that of all other nations rendered indispensable—and the conclusion of an agreement, not only without a knowledge of the agent's powers or instructions, but with the *positive knowledge* that such as he did communicate were expressly violated. These topics we omit, because they have been more ably discussed by others. We shall confine our objections in this case simply to the *manner* in which the arrangement was received by our cabinet.

We shall therefore suppose, that there had been no dark or double views, in the origin of the negociation—we shall suppose against what we *know to be the fact*, that they believed Mr. Erskine had full powers, and had a right by the law of nations to bind his sovereign, yet we say that had this been the case our government took effectual measures to render the rejection of this arrangement *certain*.

If Mr. Erskine had possessed a full and patent commission under the *great seal*—if he had literally pursued his instructions, Great Britain would not, France would not, nor would the United States, humbled as they are under the present rulers, under like circumstances, have ratified the convention—The government of the United States in the mode of accepting Mr. Erskine's offers, made use of such *affrontive terms*, that its rejection was certain.

1st. As to the affair of the Chesapeake, Mr. Erskine not only tendered the satisfaction without requiring a record of the repeal of our hostile proclamation, but he accepted an imprudent and rash answer from our secretary, Mr. Smith, in which he insinuates that the satisfaction was *unacceptable* at the moment when it was declared to be accepted, and he impeached the honour

of the British Government by an express and an unnecessary declaration, "that it would have been for the honour of his Brittannick Majesty, to have punished admiral Berkley." If it would have been for his honour so to *have done*, it follows that it was dishonourable not to do it.

But are *we* the keepers of his Brittannick Majesty's honour? If the tender of satisfaction was not agreeable to us, we did wrong to accept it—but when we did accept it as a full satisfaction, it was impolitick, it was indecent, it was even *hostile*, to reflect upon the *honour* of the other party, with whom we had just concluded an agreement.

2dly. As to the orders in council, our language was equally *offensive*—Great Britain had declared that she would not repeal her orders in council, prohibiting trade with France, until we should adopt some measure against France, which would take the place of her orders, and render them no longer necessary—our government (determined to take away all apology for Great Britain in yielding her system of retaliation,) declared "that our laws placing France on a footing of equality as to non-intercourse, did not arise from any disposition to conciliate Great Britain, but from separate and distinct considerations."

Such has been the untoward policy of our rulers; that at the moment of apparent reconciliation they would remove from the nation disposed to adjust with us the only honourable grounds upon which she could deviate from her avowed policy as to her enemy.

9th PROOF.

THE MANNER IN WHICH THE DISAVOWAL OF ERSKINE'S ARRANGEMENT WAS RECEIVED.

9th. The manner in which the refusal of Great Britain to ratify Mr. Erskine's arrangement was received by our administration affords another proof of their hostility to Great Britain.

We shall say nothing of the temper in which the conclusion of that arrangement was originally received

by Mr. Madison's party, nor of the continued language of virulence against Great Britain, which prevailed during the period when it was uncertain whether it would be ratified or rejected. But the clamour which has been excited by our rulers, the language of Mr. Smith in his correspondence with Mr. Jackson, and of Mr. Madison in his speech, abundantly proves their determination to seize every pretext, reasonable or unreasonable to foment the prejudices against Great Britain.

If a foreign government does an act which it has an unquestionable right to do by the law of nations, which every nation assumes the privilege of doing, and which our own cabinet have frequently exercised, that of rejecting the treaties, conventions, or agreements of their publick agents, whether authorised or not authorised, is it not a proof of an undue prejudice against a foreign nation to make such an act a source of clamour and complaint?

In the case of Erskine's arrangement, the act was not only unauthorised, not only made without full powers, but expressly contrary to *instructions*—of all which our government were early apprized—It was not only against the principles recognized by all nations, but as Vattel says, as cited by our own minister Mr. Smith, “it might be rejected because the British cabinet had *solid and weighty* reasons so to do.”

These solid and weighty reasons as to the affair of the Chesapeake were, as we have stated, the neglect to notice the repeal of the proclamation, and the offensive language in which it was accepted—And as to the orders in council, the neglect to stipulate that we would *continue* the resistance to the decrees of France, on which condition alone did the British cabinet consent, or *could they* consent to repeal their orders.

With such abundant reasons to reject this arrangement, with the practice and conduct of all other governments, and our own especially, in their favour, what greater proof can exist of the disposition of our cabinet

to inflame the prejudices against Great Britain, than their encouraging the clamours against her, for her rejection of this rash and unauthorised convention ?

10th PROOF.

REJECTION OF MR. JACKSON.

10th. The *climax, however*, of proofs of the fixed determination of our government to reject all the propositions and advances of G. Britain, may be found in the late unparelled rejection of Mr. Jackson. We shall not notice the temper which was excited in this country against him, prior to that gentleman's arrival, in the papers devoted to the administration, the attempt to rouse the prejudices of the people against his character and views—the reception which he met with upon his arrival at Washington—the interdiction of all verbal communications after he had been only one week in his negociation—we find ample matter of censure and alarm in the subsequent conduct of the administration towards him, the categorical and insulting manner in which Mr. Smith began the correspondence, the repeated misrepresentation of his views and proposals persisted in after he had as repeatedly disavowed and denied any such views or proposals—but above all, in the unfounded charge preferred against him of *indecent imputations* which cannot be discovered, and in the refusal to admit him any longer to those rights which among all civilized nations have been held sacred—This insult if unsupported and not justified by his conduct, is not an attack on the *honour of Mr. Jackson*, but an affront to his *sovereign*, and to the whole British nation—That it cannot be justified is perfectly clear, not only from a perusal of the correspondence—not only from the total failure of the advocates and tools of the administration in congress and in the publick journals to specify and substantiate the fact—not only in the loose, ambiguous, uncertain terms of Mr. Smith's letter to Mr. Pinkney, and the still looser terms of Mr. Giles' resolutions passed into a law, but from the very

able and unanswerable argument and analysis of Mr. Quincy, who in his place in congress has declared the charge against Mr. Jackson to be *false* and *unfounded*, and by a critical examination has *proved it to be such*.

This conduct of the administration is not a greater proof of their hostility to Great Britain, than of their sovereign contempt for the understandings of the people—The partial and prejudiced manner in which it was first made known—the attempt to kindle the passions of the people before the evidence was submitted to them—and the utter disregard to their opinions manifested by their neglect to explain or justify their conduct, all prove as well their determination to keep up a spirit of rancour towards Great Britain, as their reliance on the devotion and blindness of their partizans.

11th PROOF

MR. MADISON'S MESSAGE.

11. Mr. Madison's message to Congress at the opening of the present session, is another proof of the unalterable determination of our cabinet to produce, it not an open rupture, at least an irreconcilable breach between us and Great Britain. In his allusion to the conduct of Great Britain in rejecting Mr. Erskine's arrangement, he departs from those forms of respect for the feelings of a foreign nation standing upon equal ground with ourselves, which are absolutely necessary to be strictly observed for the maintenance of publick peace. There is in that message, if not a direct charge of perfidy at least such a train of injurious imputations, as to leave no doubt upon the mind, that such imputations were intended—We have already in a preceeding article, shewn that no just cause of complaint existed against the British cabinet for their refusal to ratify Mr. Erskine's arrangement, and that the failure of that measure is to be attributed as well to the neglect of our own officers to require Mr. Erskine's powers or instructions, as to the very offensive language inserted in the correspondence, which would have rendered the rejection

of it *certain* had it been concluded with *full powers*—But there are some other considerations which rendered this language of Mr. Madison peculiarly improper and indelicate on our part. We allude to the rejection of the treaty made by Messrs. Munroe and Pinkney with Great Britain—Those ministers acted under *full and plenary* powers, which the treaty recites were exchanged with the British commissioners—They did not *violate their instructions*, but on the contrary they signed a joint letter to the president on the 11th. of November 1806, in which they say, “we are aware that our instructions impose on us the necessity of providing satisfactorily for this great interest (the question of impressment) as one of the conditions on which a treaty shall be formed—But it does not appear that the FAIR OBJECT of that instruction will not be satisfied by the arrangement thus made.” In *other words*, the arrangement we have made *does fairly satisfy* these instructions and conditions—and after this on the 27th of December, the same ministers declare that “they have agreed to conclude a treaty on ALL the points which had formed the object of their negociation,” and so Mr. Jefferson announced it to congress on the 3d of February, 1807.—Yet this treaty concluded in virtue of *full* powers, and *fairly satisfying* all the instructions, was rejected without the ceremony of submitting it to the constitutional advisers of the president, the senate.

How did Great Britain receive this rejection? Did she vapour, clamour, excite the publick resentment of her subjects? Did she charge us with perfidy? Did the British monarch so far forget the dignity of his office as to convert his speech to parliament into a phillippick against the American government?

No—Far otherwise, and very opposite were his notions of national rights, and of the respect due to other sovereigns. Mr. Canning in answer to Mr. Munroe and Mr. Pinkney’s letter, when they announced the re-

wasal to ratify, replied, "that although the treaty had been concluded by agents *duly authorised* for that purpose, yet that the considerations which induced the president to reject it, were only matters of discussion between *him and his own ministers*. Since it *was not for his majesty* to enquire whether the American commissioners had failed to conform themselves to their *instructions*. His majesty had *no option*, therefore, but to acquiesce in the refusal of the president to ratify the treaty."

We make no comparison of the relative dignity of the proceedings of the two cabinets. We should be charged with a disposition to debase our own country, if we should express our sentiments on this occasion, but we are at liberty to say, that Mr. Madison in this part of his speech, evinced a disposition to produce a spirit of discord between us and the British cabinet.

But Mr. Madison's message is not censurable only in this particular. In his notice of the negociation of Mr. Jackson, he is chargeable, and has been convicted by the *unanimous* voice of the people of all parties in misrepresenting the conduct of that minister. He affirms the *fact* of that ministers' injurious imputations, and we say, that the total inability of one party to substantiate the charge, and the *universal* opinion of the other, that it is unfounded, sufficiently prove that our chief magistrate has taken a most unwarrantable step, and has evinced a most hostile temper towards Great Britain.

PROOF 12.

GILES' RESOLUTIONS.

12. The next article which we shall present to the consideration of the grand inquest for the United States, is the resolution introduced by Mr. Giles, upon the subject of Mr. Jackson's pretended insult, and which includes a pledge, that the United States will defend a faulty administration in an abominable falsehood.

We shall not urge the impropriety of such an interference of the legislature with the power of the executive, though we are sensible that if discord had existed between those branches, we should have had the constitutional objections urged in full force and with abundant clamour.

We shall not press the extreme indelicacy and impropriety of approving the President's conduct by a law, to which he is to accede as a party, and the grossness and absurdity of degrading the laws, by passing an abstract proposition into the form of a law, obligatory on the people, though it can neither bind their consciences or opinions.

We shall omit to say, that such a measure betrays the conscious weakness of the grounds on which Mr. Jackson was dismissed, and implies that they were not sufficiently obvious to reach the understandings, and rouse the hearts of the people, and that any insult which requires the vote, the unsupported vote of a majority of congress, must be of too questionable a nature, to justify so outrageous a measure as the rejection of a foreign minister—nor shall we notice the solemn and impressive conclusions of the speeches of Mr. Quincy, and Mr. Pitkin, who declared that they could not vote for the resolutions, because they thought they contained a *deliberate falsehood*, and their obligations to the supreme being were superior to any calls of party or patriotism.

We confine our objections solely to this point, that the tendency and sole tendency, the purpose and sole purpose of the resolution were to provoke Great Britain to war. Such we say was the case upon the face of them, but we have collateral and most undeniable evidence of it in the declarations of the author, Mr. Giles, who said in debate that *war*, would probably be declared against us by Great Britain, and if not, that we ought to *declare war* against her.

We do not know that we can add any thing to this bitter, cotemporaneous exposition of the resolutions by their inflammatory author.

PROOF 13.

MR. MACON'S BILL.

13th. Mr. Macon's bill, comes in for its share of influence and weight, in proving the pertinacious adherence of the present Government, to their system of hostility to Great Britain.

Whether the administration are, or are not sincere in their wish to procure the adoption of this bill, it is clear that their partizans in congress are only divided upon the question, whether the people of the United States, shall be scourged with this, or with some more hostile project against Great Britain.

We say *scourged*, because experience has proved, that the commercial interests of the United States, are best promoted by a good understanding with Great Britain, and all the foolish and passionate attempts to sever the commercial connection of the two countries, (which common habits, feelings, ancestry, language, interests, and heaven itself, have rendered intimate,) have only reverted with double force against ourselves.

It appears then, that Macon's bill is the *best* measure which the hostility of our democrattick rulers will permit us to have—How much calculated this *best measure* is, for the promotion of our best interests, we may judge from its being opposed by all the friends of commerce in the house of representatives—In its operation, like its sister furies, the embargo and non-intercourse, it would alone affect Great Britain, were it possible that she could submit to it.

By holding out the irritating and humiliating idea that she shall enjoy our commerce as a boon solely on our own terms, and those terms amounting to the interdiction of her publick and merchant flag, we render it certain that she will retaliate.

Thus then the long desired object of France and of the partizans of France in this country, will be attained, a rigid non-intercourse with Great Britain enforced, not by American energies, but by the British—Thus too, it is vainly hoped that the odium of this measure may be transferred from our cabinet to that of St. James's.

It is not however certain that Macon's bill will eventually pass, and the doubt arises not from any good disposition towards Great Britain, but from a fear in the minds of the administration, that this measure will not be deemed sufficiently hostile by either Great Britain or France—The only division in the democrattick party, arises from this cause—none of them oppose it because it is *too hostile* in its tendency.

PROOF 14.

HOSTILE LANGUAGE TO GREAT BRITAIN.

14th. We now pass to the last proof, which we shall cite of the hostile propensity of our administration, towards Great Britain, which is to be found in the irritating language of the government—of its ministers—and its partizans in congress, towards that nation, its government and ministry.

We do not, it is perceived, *descend* into the notorious virulence and abuse of the party journals, and of the democrattick orators, dispersed throughout the United States—such a picture would be too disgraceful in a *neutral* country, for any Patriot to delineate.

The real character of an administration, and its disposition to maintain a fair and impartial neutrality, are perhaps as well ascertained by its relative *language* towards the great belligerents as by its acts. Either mode of enquiry will lead to the same result as to the disposition of our present rulers, and will equally prove their fatal subserviency to the views of France, and their hostility to Great Britain.

We forbear to examine the proofs of this partiality in their early administration, but we shall confine ourselves to their relative language to the two belligerents, in relation to the decrees and orders which form the most prominent and interesting subjects of present discussion.

We shall state, under our next general head, the mean and dastardly submission to France, in relation to her decrees; but at present, we shall only notice the high and indignant tone which they have adopted towards Great Britain, whose government has been guilty of the unpardonable sin of retaliating, after twelve months notice, in a very *inferior* degree, the unjust decrees of France.

We have said in a very *inferior* degree, and in order to judge correctly of the nature and justice of the language used towards Great Britain, it may be useful, and indeed necessary, to compare the French decrees, and the circumstances under which they were imposed with the British orders in council, and the modifications which have since taken place of those orders.

In November, 1806, we were not only in a state of peace and avowed amity with France, but we had a treaty with that nation, which regulated our commercial rights, as far as treaties can regulate or controul a faithless and perfidious conqueror. By this treaty it was stipulated,

1st. That even enemies property in American vessels should be exempt from capture. The only enemy of France at that time was Great Britain; and the stipulation amounted therefore to this; that *British property, avowed to be such*, should find a secure asylum under our flag.

2d. That the right of blockade should be limited to the case of an actual investment of the blockaded port, by a competent naval force.

3d. That we should have a right to trade freely *to and from* the ports of *any* and *all* the belligerents, without molestation or impediment, and since, as we have

above stated, the only belligerents at that time, were France and Great Britain, we had the solemn faith of France, that we should be permitted to trade freely from the ports of Great Britain to those of France, without molestation or hindrance.

To admit that France could lawfully impede this commerce, upon the pretext of making *municipal* regulations, would be to concede, that she could at pleasure violate her stipulations with us, when we had released to her, as the price of these concessions on her part, all our claims upon her for preceding captures.

We shall not deny, that if subsequent to the treaty we had failed to perform any of the conditions of it, or if we had *submitted* to any aggressions of Great Britain, or to any new principles which she had set up, hostile to the interests of France, *after* due notice given to us of a determination to retaliate, she would have had a just right to consider the treaty violated.

No such pretence is set up by France or her friends. The fact is notoriously otherwise. Between 1800, when the treaty with France was made, and 1806, when the infamous decree of Berlin was promulgated, Great Britain set up no principle which she did not exercise at the moment when the treaty was ratified. Much less can it be pretended that France ever urged any complaint on this subject and required our resistance.

The decree of Berlin then was a gross violation of our rights, without apology or pretext, except its advancement of the emperor's objects against Great Britain.

Far otherwise was the situation of Great Britain. Bound to us by no stipulations, restrained by no contract, she was at liberty to exercise the law of retaliation, provided she took all the previous measures which the law of nations rendered indispensable. In December, 1806, she notified our government of her intention to retaliate the French decrees, unless we should adopt some measure of resistance, which should render her retaliation unnecessary. She did *not* require measures

of hostility. She did, *not like Bonaparte*, indicate the degree and course of resistance. She did not declare "that we were at war with France." She only reposed on our good faith that we would adopt some countervailing laws, which would counteract this gross violation of our rights.

She waited twelve months, in vain, for any such spirit of resistance, and she then adopted a *comparatively mild* course of retaliation.

How far it was *comparatively mild* may be seen by the following distinction.

By the French decree, *all the British islands* were declared in a state of seige by *land* and sea, while not a single ship blockaded the ports of those islands.

By the British orders the European territories of France only and of her allies, who had adopted the same decrees were declared to be blockaded, and they had an actual blockading force, sufficient to bring them within the rules adopted by the armed neutrality, which rendered blockades legal, where the blockading force was sufficiently great to render the entry imminently dangerous.

The French decrees gave no notice to the innocent or ignorant neutral, but condemned equally, the innocent and the guilty.

The British orders allowed so reasonable a time, that no innocent neutral could possibly fall within their operation.

The French decrees extended to all the British colonies in her West Indies.

The British orders left free our trade with the colonies of the enemy, so important to our citizens.

By a *second French decree* of Milan, all British goods even when purchased by neutrals, are made good prize. All vessels bound to or from British ports are equally subjected. And to cap the climax of perfidy and insult, of unexampled tyranny and injustice, all bona fide American property of American growth is declared

lawful prize, if the ship has been visited by a *superior British force*.

This last decree, the morality and justice of the British cabinet would not permit them to retaliate. They would prefer at once open hostility, rather than thus to violate the most fundamental principles of justice.

Unretaliated as this Berlin decree was, and unfounded as could be any pretext for *any other* aggression, Bonaparte found the means of doing it under our *embargo act*. Whether this measure was the result of a secret stipulation or treaty between our cabinet and him we know not; but it is certain that he could have no *other* pretence for the decree of Bayonne, "which declared every American vessel, found in whatever situation on the high seas, lawful prize, inasmuch as by the laws of the U. States, she had no right to traverse the ocean."

Great Britain, so far from retaliating this unexampled piece of *affront* and injury, on the 26th of April last, of her own *free accord*, and without any stipulations on our part, *repealed her orders* in council of Nov. 1807; *yes we say*, that in April last, she actually repealed the orders, of which we still hear so much complaint, and issued a new order of *limited blockade*. The British orders of Nov. 1807, no longer exist. The new orders amount to a specifick blockade of that part of the continent only which has been conquered by France, and is held by her feudatories. By this modification, Spain, Portugal, Denmark, Russia, Sweden, and part of Italy were thrown open to our trade. All Bonaparte's decrees remain unmodified and unaltered, and what is most strange, even the Bayonne decree, founded on our embargo, is still in force.

Having taken this short view of the relative conduct of the two belligerents, let us now see what language our cabinet have adopted towards Great Britain, the least offending party, if she offends at all.

The news of the British retaliating orders reached our cabinet on the 3d of February, 1808, and though

they had been silent as to the French aggressions for several months, and a remonstrance was presented by our minister for 12 months, yet on the 22d of March, 1808, Mr. Madison (though sick and feeble, as he says) found spirit and energy enough to write to Great Britain, not as he had written to *France*, "that the decrees were a *municipal* regulation, throwing a *cloud* over the *amity* between the two countries," but that "they [the British orders] *violated* our rights and *stabbed* our interests; and that under the name of indulgences they superadded a blow at our national independence, and a *mockery* of our understanding."

This we should call pretty plain, if not bitter language. In April, 1808, Mr. Madison again tells Mr. Pinkney, "that in not regarding the British orders as acts of *hostility*, and in trusting to the motives and *means* (the embargo laid and enforced by the request of France) to which they have appealed, the United States had given a signal proof of their love of peace."

This impartial administration then, that had submitted to the French decrees, so much more inexcusable, for 12 months, singly remarking, that they "served to throw a *cloud* over the *amity* of the two nations," thought they gave a signal proof of moderation in not declaring war against Great Britain.

In like manner to Mr. Erskine, on the 25th of March, 1808, Mr. Madison, speaking of the *relaxation* of the British decrees, made on purpose to accommodate them to our feelings, says, "I forbear, sir, to express all the emotions with which such a language (the intimation of their desire to pacify us) is calculated to inspire a nation, which *cannot for a moment* be unconscious of its rights, nor mistake for an alleviation of its wrongs, regulations, to admit the validity of which, would be to assume the badges of humiliation."

So then, this high minded administration, which, with regard to France, had not only been unmindful of its rights for *twelve months*, but had forbore to do any act which would thicken the cloud which hung over

the amity of the two nations, cannot even for a MOMENT be unconscious of its rights, in relation to the retaliating measures of Great Britain.

We have noticed Mr. Madison's speech, and Mr. Giles' resolutions under a former head. It will be seen, that in these, this high language of indignation is in no degree relaxed, but on the contrary, gradually advancing towards a climax of insult and reproach, not only derogatory to the dignity of the nation, but totally inconsistent with the preservation of peace. It belongs to our next general head, to contrast this studied language of provocation to Great Britain, with the mild demeanour of the same gentleman towards France, and it will be for the people to decide whether we are to ascribe this difference to the respective conduct of the belligerents, or to a partial and prejudiced feeling towards the respective parties.

II.—*SUBSERVIENCY TO FRANCE.*

We proceed to the second general division of our subject, the object of which, is to shew the submission of our present and late administration to France; and their complete subserviency to the views of the emperor, which, however caused, whether proceeding from partiality, fear, or corruption, inevitably tend to the disgrace and ruin of our country, are utterly subversive of our commercial rights, and will prove highly dangerous, if not fatal to our peace, property, and liberties.

1st PROOF.

MEAN LANGUAGE OF OUR MINISTERS IN FRANCE.

The first, and one of the earliest proofs of the partiality and submission of our administration to France, and which has continued to the present day is the unexampled meanness of the language of our ministers, at the court of Bonaparte. Among the whole host of

ambassadors from the new made, tributary, and vassal kings, who surround the throne of this monarch-making emperor, there is no single representative, who has exhibited a more humble, submissive temper, or adopted language of more fulsome adulation, than the American ministers in France, nor did ever the ambassadors from a conquered prince experience such marked and so frequently repeated insults and indignities, as have been received by our ministers, at the imperial court.

We need only call the recollection of our readers to the force which Bonaparte chose to get up for the amusement of Europe, and to cover the infamous murder of the duke d'Enghien, a measure which involved the most unexampled violation of territorial sovereignty, as well as the blackest species of assassination—Under pretence that Mr. Drake, one of the British ministers on the continent had been concerned in a conspiracy against his *life*, the emperor caused letters to be written to the publick ministers representing the several tributary countries at his court, stating what he pretended to be the facts, and requesting their opinions in order to excite an odium against the British cabinet—It was received by these *mock* representatives of sovereignty as a *mandate* to calumniate the British government, and accordingly they vied with each other in their efforts of malignant censure against that cabinet, but it is universally allowed, that the palm was gained by our minister, Mr. Livingston, both for the spirit of bitterness which he manifested towards Great Britain, and of meanness and submission to the emperor.*—Russia and Sweden at that time had not *bowed* their necks to the yoke, and Mr. Marcoff, the Russian minister, as well as the minister from Sweden, refused to join in this most infamous and unprecedented measure.—Nothing could be plainer than the duty of a minister from a neutral country in such a case.—He should have replied,

* See note and remarks on this subject at the end of this work.

“that the situation in which his country stood in relation to the two contending powers, rendered it improper for him to express any opinion in such a delicate case, that even if the neutral state should interpose as an umpire, it would be its duty to hear the other side in its defence before it should undertake to criminate it.”

This measure of unprecedented baseness, on the part of our minister in France gave serious umbrage to Great Britain, and the writer of this article knows from the high authority of Col. Munroe, that a demand of satisfaction was secretly made upon our government, which we are well assured has been since given, by a letter of disavowal of the act of Mr. Livingston, and probably by his recall. It is not the custom in Great Britain, to fill their official papers with abuse against other nations in such cases, nor for their members of parliament to vie with each other in inflammatory language, as to the disavowed wrongs and injuries, committed by *even* a publick minister.*

Another instance of base and derogatory language will be found in Mr. Livingston's *memorial* to Bonaparte, to induce him to sell us the *Spanish* property of Louisiana. We shall explain why we call this the *Spanish property*, when we come to the more particular question of this purchase.

Our only object of citing it now, is to shew the strain in which our ministers have treated with France. There are in this memorial some unjustifiable strokes of hostility to Great Britain as well as constant strain of adulation to Bonaparte.

For particulars see extracts from this memorial in the notes hereto annexed.

Mr. Armstrong's correspondence with the French government is, in many respects, as censurable as those of Mr. Livingston. When he received intelligence of the *burning of our vessels* on the high seas, by rear admiral Baudin, in contravention not only of the laws and

* See notes.

usages of nations, but of the *French code* of maritime capture, and when the property *plundered* from these vessels was actually libelled in the French courts, Gen. Armstrong addressed a letter to count Champagne, in which so far from intimating his horror at such a barbarous infraction of the law of nations, so far from saying, as had been said to Great Britain in a *questionable case*, that the United States “*could not for a moment* submit to such infractions of their rights;” he simply asks “whether his Majesty’s government does or does not justify the conduct of rear admiral Baudin, in burning or otherwise destroying, on the high seas, the ships and merchandize of a neutral and friendly power?” This letter was dated July 10th, 1808. No answer has ever been made to this modest question, or at least none has been published. It does not appear that the question was ever again resumed, nor, although the practice has been frequently repeated, have any further complaints been made, nor has the President deemed it of sufficient consequence even to allude to it in his messages. We shall, when we come to the infamous report of Mr. Secretary Smith, made at the present session, shew that he has omitted all notice of these outrages, when he was directed to report *all the cases* of the aggressions of the several belligerents.

Mr. Armstrong, again, on the 6th of August, 1808, addressed Mr. Champagne on the subject of our wrongs; and here he most explicitly justifies the decree of Berlin, by saying, that “his majesty has a right to make such *municipal* regulations as he may deem proper with regard to foreign commerce.”

In other words, although by the French treaty with us, we had given up claims to the amount of twenty millions of dollars, in order to purchase the right to trade freely, to, from, and between all the belligerents, yet his majesty had a right to deprive us of this privilege under the pretext of municipal regulations. All the seizures, therefore, of our property, the imprisonment of our citizens are acknowledged to be legal by

this, our nominal representative, but real tool of the emperor of France.

That Gen. Armstrong acted in these cases under the orders of the administration; that he knew that he was promoting their wishes by this suppliant and submissive language, and these infamous concessions is apparent from Mr. Madison's instructions to him.

Mr. Madison, in his letter of May 22d, 1807, which is the only one of which we have any extracts for nearly twelve months, speaking of the indiscriminate capture of our ships by France, in the West Indies, six months prior to the British retaliating orders, simply remarks, "that these measures will of course thicken the cloud that hangs over the amity of the two nations."

In his next letter, of February 8, 1808, he admits the right of France to interdict our trade between Great Britain and France, and that the Berlin decree only required "seasonable explanations of its *doubtful import, or friendly expostulations* as to the suddenness and rigor of its *innovations*."

Here it is admitted, that the Berlin decree is an innovation, that it was sudden and rigorous in its operation. In fact, it was a most high handed interpolation in international law; it was a gross infraction of our treaty with France. It was sudden in its operation, being extended to the innocent neutral, who should enter French ports without any notice of its existence. It was rigorous in its punishments, amounting to confiscation of the property, and the imprisonment of the innocent crew, as if they had been felons, and yet all this perfidy and tyranny only demanded "*friendly expostulations*."

In the *same letter*, Mr. Madison, speaking of the seizure of American property in *neutral and free states* where it had been sent prior to the promulgation of the decree, and under the sanction of the law of nations, simply remarks, that our citizens had been *veered by regulations* subaltern to the Berlin decree, and submits it to Mr. Armstrong *how far* these measures are inequit-

able and *unfriendly*, and also the *kind of representation* which it might be proper to make.

Mr. Madison's letter of May 2d, 1808, takes up the insolent order of Bonaparte, that we should declare war against Britain. Here the secretary was roused to a seeming spirit of resentment, and after stating in *mild terms*, that such language "had the air of an assumed authority," and that it was impolitic, "because irritating to the publick feelings," in other words, because it tended to silence the friends of France, and to destroy their influence, the secretary adds, "*taking care*, as your discretion will doubtless suggest, that whilst you make that government sensible of the *offensive tone employed*, you leave the way open for friendly and respectful explanations, *if there be a disposition to offer them.*"

No such friendly and respectful explanations have ever been made, and yet the last we hear of this *insolent* language is in this *cautious and submissive letter*. These are the men who have, with critical and fastidious refinement discovered an indiscoverable insult in the language of the British minister, and instead of requiring friendly explanations, or receiving them when offered, have adopted a measure which is the usual precursor of war.

On the subject of the burning of our ships, Mr. Madison simply remarked, "that it was the most *distressing* of all the modes by which belligerents exercised force contrary to right," thus using an epithet applicable to the sufferer, instead of indignant expressions of the injustice of the culprit. Such is the language of our impartial cabinet towards France.

2d PROOF.

SUBMISSION TO TURREAU'S INSOLENT LETTERS AS TO THE ST. DOMINGO TRADE, AND THE CONSEQUENT INTERDICTIONS OF A LAWFUL COMMERCE.

The second proof we shall cite of the shameful submission of our government to France, of their disposi-

tion not only to relinquish our just rights, but to do it under the most mortifying and humiliating threats of France, is the interdiction of the trade to St. Domingo, at the *order*, not the request of the French minister, couched in terms the most insolent and offensive.

The people of the north were not so much interested in this traffick as those of New York and Philadelphia, and our brethren in the interior, perhaps, do not fully comprehend this question.

The island of St. Domingo was once a colony of France; it was peopled, chiefly, from that part of the human race, whom the spirit of avarice, against every moral and religious principle, have doomed to slavery. In the early part of the French revolution they made a great, bloody, and savage struggle to regain their natural rights, and, we trust and believe, that no man in a christian or a free country, can question the justice of their cause.

Whether just or not just, it is out of the power of France to dispute it, since the *same authority* under which Bonaparte *pretends* to hold his sceptre sanctioned their revolution, declared them to *be free*, and admitted them to the privilege of representation in the national assembly. Thus then, they stood in a higher state of relation to the parent country, than the colonies of America did to Great Britain before the war, for the *latter* were not admitted to a representation in parliament. Thus happy, free, and independent, entitled to all the privileges of a free colony, Bonaparte, by one of the basest acts of treachery, kidnapped and murdered their executive chief, the victorious Toussaint. From this moment, without *pretext* of rebellion on their part, he waged a most unprincipled war upon them, with a view to reduce them, not to a *colonial state*, but to a state of absolute slavery. So far, then, the war was an unjust and terrible one, and it is laid down by *all writers on the law of nations*, that *every nation* has a right to join, to aid, to foster the oppressed in *such a conflict*.

That France was not able to reduce this colony to slavery, the event has shewn. It is extremely doubtful whether she will ever be able so to do. The most unquestionable principle of the law of nations, is, that you have a right to consider the government *de facto*, (the existing government) as the legitimate one. Of all nations, France and the United States are the *very last* who should dispute this principle. When the chance of our success was infinitely more uncertain than that of the citizens of St. Domingo, *France* lent us money, *France* published a manifesto to the world, in which she asserted the right to assist rebellious colonies, *whenever* it should be apparent that they were able to achieve their independence. *We* then, of all people in the globe, who courted, who received this countenance and support, ought to be the last, within *thirty short* years, to deny the principle, and to join the banners of a tyrannical invader. These ideas are equally applicable to the present struggle in Spain, and we beg our readers to recollect them, when we come to that more shameful example of our apostacy, from the principles of our own revolution, and that other proof of our dastardly submission to France.

But as to our trade to Hayti, or St. Domingo, it did not rest on this basis alone, though sufficiently strong, it stood upon the broader ground of commercial freedom.

It was not a question whether our government should aid or assist the unhappy people of St. Domingo struggling for their liberties. The base, sordid, and timid policy of our rulers never aspired to so noble a thought.

The question simply was, whether we should, by our *own laws*, prohibit a profitable trade (whether in contraband articles or not) which France, by her complaints confessed herself *unable to restrain*.

Here then we may triumphantly challenge the defenders of our base and pusillanimous rulers to produce a

single authority from writers on publick law prohibiting such a trade.

All writers on international law admit, that nations at *amity* with each other may carry on a contraband trade, even in articles *contraband of war*, upon the sole condition that they are lawful prize if captured in such traffick, nor has it even been deemed a cause of national complaint—Such have been also the repeated decisions of the courts of common law in Europe and America, for as was justly said by lord Mansfield in a question of insurance on *such a voyage*, “we are not bound to enforce the municipal and commercial laws of other countries.” The inhabitants of St. Domingo, *even* if they could be *considered rebels*, which they were not, were simply in the state of a nation at war, and it was an unnecessary and base surrender of a most advantageous commerce to lend our aid in interdicting a trade, which France had not the power to prevent.

But if it was derogatory to our councils thus to violate the first principles of our own revolution, thus to abandon our most unquestionable rights, it became doubly base when the measure was *forced upon us* by a language of insult and insolence unexampled in the history of nations—a language of which we defy the administration to exhibit a parallel in the treatment of France to any of her other tributary states.

Mr. Turreau, on the 14th of October, 1805, addressed our secretary as follows. “The undersigned has testified in his conversation, his *just discontent* with the commercial relations carried on between many citizens of the United States and the rebels. The principles affected by this species of robbery are so generally understood, that the statesman, if he *had not lost every idea of justice, humanity, and publick law* can no more contest their wisdom than their justice.” It is a little singular that a minister should have the impudence to appeal to *justice, humanity, and publick law*, in an attempt to reduce to slavery nearly a million of men, who had been *declared free* by the *voluntary act*

of the government which such minister represented. He proceeds : "The vessels destined to carry on this traffick are constructed, armed, and loaded under the eyes of the American people, and the *federal government itself*, which has taken for its basis the most scrupulous equity and impartial neutrality, does not forbid it."

On the 16 of January, 1806, he again writes to Mr. Madison, "formal orders of my government oblige me to *insist* on the contents of my official note, relative to the St. Domingo trade—Not having received any answer I had room to hope that the government would take measures to put an end to this trade, but your silence, and that of your government to congress, impose on me the duty of renewing my complaints upon the tolerance given to such an abuse, as shocking to the law of nations, as to our treaties.—This system of *tolerance can no longer remain.*"

We shall not make any remarks on this language—Comment would only enfeeble it—we shall only observe that among the strenuous opposers of this law was John Quincy Adams—He is supposed to be acquainted with national law, but he had not at *that* time the obliquity of vision with which he has been since unhappily afflicted.

3d PROOF.

THE ATTEMPT OF THE ADMINISTRATION TO FORCE DOWN BEAUMARCHAIS' CLAIM, IN OBEDIENCE TO MR. TURREAU'S INJUNCTIONS.

Beaumarchais' claim amounts to nearly one million of dollars with its interest—It is perhaps the most profligate demand which was ever made upon an intelligent and independent people, and one hardly knows which most to admire, the perseverance with which it is pursued, the contempt for the virtue and understanding of our rulers which it implies, the audacious language with which it is enforced, or the submissive and

unprincipled manner in which it was *encouraged* by the administration.

The facts are briefly these—Louis XVI having adopted a policy recommended by the *compte de Vergennes* and *Mons Turgot*, so far to encourage the rebellion in America as “to *exhaust our resources* but to let us be *finally conquered*” as will appear by the most interesting extract in our *notes* from the secret papers of Louis XVI, did not chuse *openly* to appear to espouse our cause, because as it appears from the same papers, France was not in a condition to enter into the war—He was however, willing to enable us to contend some time, in order that both the force of Great Britain and of her colonies might be impaired, as is avowed in the same work—It was therefore agreed between the French minister and Dr. Franklin, that a certain sum of money should be paid to us as a subsidy by France, for which as a cover, receipts should be given to a *secret agent* of the king of France, *Mon. Beaumarchais*, who had no more to do with the advance than Lord North.—One of these receipts for one million of livres was afterwards presented to the revolutionary congress as a *debt due* from the United States, though it was undoubtedly a *free gift*, for the promotion of his most christian majesty’s views.

Upon investigation the old congress rejected the claim as unjust, though for the sake of preserving the honour of the French king who had publicly declared in his protest to Europe, that he had given us *no assistance*, there was a vote past which seemed to favour the pretension of *Beaumarchais*, though it was perfectly understood by the parties that it did not. Thus the transaction rested till 1807, more than twenty five years, when Mr. Talleyrand having purchased this claim as it is said, Mr. Turreau declared to congress “that the Emperor his master lifted up his voice in its favour.”

The success which had attended his master’s *voice*

on all other occasions, and especially as to the St. Domingo trade, gave him reasonable grounds to believe that this would not be without effect, nor was he deceived—The administration, and a majority of congress, were perfectly ready to saddle the nation with this most iniquitous claim.

The attorney general impelled by the imperial voice, made a flimsy report in support of its legality and justice.

Why then has it not been allowed? Why has it been suffered to sleep quietly for two years on the files of the legislature? No debate of any consequence has ever been had upon the subject—The attorney general's report remains in favour of the imperial claim—Why then this mysterious delay? Will not the transaction bear the light? Was it intended to have been smuggled through both branches, on the authority of the attorney general, and the influence of the imperial voice? We can explain this secret. A private citizen of New-York, who had once sustained the most honourable offices in our country, so long as offices were honourable, and who had been intimately acquainted with this base transaction, when it was discussed before the revolutionary congress, displayed with irresistible reasoning the injustice of the claim, assailed with caustick satire the report of the attorney, and pointed out the evidence which would prove the baseness of the petitioners' pretensions. Thus we owe to the patriotism of a private citizen, the saving of nearly a million of dollars, which our government had agreed to grant to the insolent demand of Mr. Turreau,

4th. PROOF.

LOUISIANA PURCHASE.

There is no subject of complaint against the democratick administrations, which presents such a variety of disgraceful features, which involves so many and so various causes of censure, in its origin, principles, pro-

gress, and effects as this shameful purchase of a colony of Frenchmen. In its origin, it was corrupt—The project was engendered in France as well for the interest of France, as for the basest and most sordid views of individual profit—In its principles, it was hostile to our constitution and unfriendly to our republican habits—In its progress it was marked by the most shameful profligacy, and the grossest speculation—and in its effects, it has been a vast whirlpool which has not only swallowed up the original purchase money of eleven millions and an half, but the immense sums which have been expended in exploring its unknown frontiers, in negotiating with France the adjustment of boundaries purposely left unsettled, in fortifications and a navy for its defence, as well as the maintenance of an army, who have gone thither only to fertilize its soil with their miserable remains.

It would be inconsistent with the general scope of this work to attempt even a sketch of all the baseness of this extraordinary measure—To do it justice, it would be necessary to devote to it a volume of equal size with that which we now offer to the publick.

Our present object is to show the *mean submission* to the views of France, which this measure exhibits, and we shall only give such hints on the other points as will more clearly elucidate this.

The origin of this monstrous purchase, the effects of which will be felt by our latest posterity, it is well known, is to be found in the necessity, which the Transmontane or Western States were under to have the *free navigation* of the Mississippi—The twenty millions of dollars which it has already cost us, the fifty millions which it will *again cost us to maintain it*, as well as the thousands of lives which will be expended in a defence of it, and which will eventually be fruitless, are all to be charged to the *account* of those backwoodsmen, who are so hostile to the commercial interests, and so unwilling to expend a dollar

in defence or for the protection of trade, and who boast, that all the infamous measures they adopt to fetter our commerce are solely intended for *our* benefit.

But though the navigation of the Mississippi might be important to them, and though it might be our duty to procure it for them, yet there were two modes in which it might have been obtained at less expense of money or character, and which would not have entailed upon us such an interminable train of evils—We wanted only the *depot of New-Orleans*, and the free navigation of the river—Those were ours by solemn treaty with Spain before this purchase—But she *occluded* us, as the phrase of Mr. Jefferson was—she shut us out of that depot—What then was our duty? To *take it*—But this would have involved us in a war, and our policy is pacifick!—We answer, you have *yet* to acquire it by your *sword*—France has not released her claims to it—You are only her stewards during the war, and she makes no secret of her intention to pocket your money and *renew her claims* to the land.

But another mode by which you might have accomplished the object, was by a purchase (if you would not prefer the degradation of purchasing your own property, rather than of defending it by arms) of the right of navigation, and of the island of *New Orleans only*. This would not have cost us more than *one* or two millions of dollars instead of fifteen millions, and we should have escaped the other evils to which such an enormous accession of territory and a population of 250,000 Frenchmen subject us.

But our wise rulers, having determined to buy a country, which they were afraid to defend, and which of course they will be afraid to withhold when Bonaparte shall as he threatens, reclaim it; let us enquire, under what circumstances and what malign influence it was obtained?

Bonaparte, having made a *mock exchange* with Spain by the treaty of St. Ildefonso, intended to renew the ancient, and as it will appear, the favourite projects of

the monarch of France, of gaining an ascendancy on this continent. Already the French presses teemed with speculations, pamphlets, histories, topographical descriptions, maps of Louisiana, and all the native enthusiasm of that people was kindled, at the idea of a new scene of glory and conquest, of wealth and grandeur in America. A military force was actually provided; transports were prepared to convey troops and stores, to take possession of the key of the western states. At this moment Mr. Livingston's applications to purchase or to settle the boundary were rejected with *disdain*. When, lo! an unexpected event, an event unlooked for by all Europe, suddenly wrested all plans of transmarine expeditions. The departure of lord Whitworth from Paris, and the hourly expected rupture with England, put a new face upon the posture of affairs and on the fate of Louisiana, then wholly defenceless. Great Britain had perceived the ambitious views of France. She was jealous for her colonies on the continent as well as for the islands of America, which would be in a precarious situation, if Louisiana should be powerfully garrisoned and protected by France. It was foreseen that the very first act of war, on the part of England, would be to take possession of Louisiana, which she could do with a fleet and two thousand men. Bonaparte was alarmed; he sent to Mr. Livingston, his proposals were considered, and the sale and the terms agreed upon. So great was the rapidity with which this impartial transaction of the purchase of a territory bigger than Great Britain, and comprising 250,000 souls, was hurried through, that Col. Munroe, who carried out the regular powers, was written to as soon as he arrived at Nantes or Havre, to know if he had the authority, and Livingston actually concluded the bargain the very evening Col. Munroe reached Paris. The facts respecting this convention are known to the writer of this article from Col. Munroe's most respectable secretary, the late amiable and respectable Col. Mercer, of Virginia; and Col. Munroe, it is believed, will have

no hesitation in admitting them. It is a fact, that Col. Munroe was dissatisfied with this haste, and with the slovenly manner in which the convention for the purchase, and that concerning the debts, were drawn up. It is a fact, that Col. Mercer apologized for the very ambiguous terms of these instruments, by saying, that the French government were eager to close the bargain, lest Great Britain should *first declare war* and dispute the sale. It was then a sale *made by France*, whatever were our views, solely to deprive her enemy of the advantage which a war would have given him over this defenceless country. It has also, on our part, a very smuggling and suspicious look. It may be said here, that if France was about to seize this country and to garrison it with a strong force, it was policy to purchase it, rather than to contest with her; and in proportion to her eagerness to dispose of it, it is probable was the cheapness of price at which it was obtained.

Neither of these propositions is, however, true, for as to the first, we have not avoided the danger, we have only protracted it, and protracted it probably to a period when we shall be less able to contend with her. Talleyrand purposely inserted such a loose description of the boundaries, that it is impossible they should ever be settled without a war, or a new gift of such a number of millions as France may demand.

It is a fact, stated by Gen. Armstrong, in presence of the writer of this article, that Talleyrand laughed and ridiculed Mr. Madison's expose, or display of our claims as to boundaries; that he denied that any such claims existed, and intimated most distinctly, that if they should be persisted in, France would be obliged to defend the rights of Spain. It is a fact, that Talleyrand also declared, that the question must be discussed at Paris, and not at Madrid. It is a fact, that six months before the proposal of sending *two millions*, as an entering wedge, or as introductory to the purchase of the Floridas, was made in this country, it was known in Paris, and publicly spoken of, that such a sum would be voted, and

ought to be voted by Congress. This the writer of this article most solemnly declares he heard in *that city* at *that* time. As to the two millions, to purchase the Floridas, they were not the sum intended to be paid. Mr. Munroe only had authority to pledge *two millions*, and yet the treaty stipulated fifteen millions. It was expected the Floridas would cost twelve millions, and we should have had patriots who would have called it cheap.

We have not then avoided a *quarrel*, or another tribute, by purchasing Louisiana. We have the contest still on our hands, and France would not accept our money for the Floridas, lest she should lose an excellent pretext "*pour se meler dans nos affaires*," "to mingle in our politicks."

But the Louisiana convention has given rise to a thousand quarrels with France, which will be abundantly better pretexts for a murderous war, or for taking back Louisiana, than such tyrants usually seize to extend their arms.

The throne of Bonaparte is surrounded, is besieged by citizens of Louisiana, who though citizens or slaves of the United States (for one hardly knows which they are) are beseeching him to interfere, and take upon himself the redress of their wrongs.

Books are published in Paris with the imperial imprimatur, and every one knows that no book is now published which is not agreeable to the emperor, in which the scandalous breach of the treaty by the United States is alledged, the treaty is declared null, and the emperor is called upon to vindicate his rights and that of *his subjects*, mark it! *his subjects* in Louisiana. There is a work in the Athenæum, at Boston, in two volumes, printed at Paris, in which the writer alleges the most shameful breaches of treaty on our part; that they were to be treated as citizens, but are governed as slaves, by military law. The fact we know to be true, that such is the tenure by which these poor colonists hold their lives and property. It is well

known that Wilkinson put them under martial law, and that the decision of the courts in the case of the Battered was reversed by the bayonet. The writer above alluded to, addresses the emperor on all the various sources of complaint, and assures him that the hearts of every Frenchman in Louisiana are firmly attached to their native or mother country, France. It may be remarked here, that the number of *French and Spaniards* in this province is as great as the number of inhabitants in New Hampshire, while the English American citizens do not exceed two thousand souls exclusive of our *dying army*.

It appears then, that we have not avoided a quarrel by the purchase of Louisiana, but have laid a most solid foundation for eternal collisions.

Nor was the purchase more to be commended for its economy. It is not to be doubted, that France would have sold that country (always reserving, which she did, the seeds of future quarrel and claim to it) for five millions. In short, rather than to let it fall, as it would have done, into British hands, from whose grasp she could never wrench it, she would have ceded it to us for a release of our claims, which she never meant to pay. This, however, would not have suited the greedy harpies, who were determined to fatten on the folly of our rulers. Talleyrand, Parker and company would not have enjoyed, as they did, one million of our dollars; nor would so many fraudulent and iniquitous scenes have disgraced our country, whose "youth," as "Mr. Fauchet says, is already decrepid."

The history of the convention for the payment of debts due from France, is a most precious morceau of management and intrigue. The sums paid in scandalous bribery, openly avowed, and shamelessly boasted of; the admission of nearly a million of foreign claims, of American citizens, who never quitted an *European city*, in which they were born, and the rejection of bona fide debts of natural born citizens, would form a curious subject of discussion, to which we feel ourselves,

from actual observation, competent, but which would transcend the limits which we have prescribed to us.

We cannot, however, take leave of this subject without noticing the bearing which this purchase of Louisiana, and the attempt to purchase the Floridas, has upon the innocent and unoffending government of Spain. We say innocent and unoffending, because we attribute all the *late* acts of injustice, on the part of Spain, prior to her late revolution, to the councils of France; for so long as she continued independent we found no difficulty in making treaties with her, and in procuring compensation for losses. France did not acquire Louisiana by right of conquest; Spain was her friend and her ally, and she extorted this grant and that of the Floridas from her, partly by threats and partly by intrigues with that traitor Godoy, the prince of Peace. These facts were well known to our government. It must have been also foreseen, that if ever Spain should be able to assert her independence, she would question this extorted grant. It was, therefore, a species of publick robbery, in which Mr. Jefferson, in the purchase of Louisiana, became an accessory *after* the fact, and in the *attempt* to purchase the Floridas, an accessory *before* the fact. But this is not the worst part of the picture, when we were about to pay fifteen millions, for the purchase of a country we had a right to demand, a *sight* of the title deeds, and it was our duty to search the records, to see if there were no incumbrances. Our ministers demanded a copy of the treaty of St. Ildefonso, which had never been published, and by which alone France had any pretensions to this country. This was refused, and they were only permitted to have a copy of the article in which the cession was made. Whether there were any precedent or dependent conditions, any collateral stipulations or explanations, they were not permitted to know. But the loose and ambiguous clause of cession was copied, whether fairly or not they did not know, but the people of our country know that it has already proved and will prove, until

it is regained by either France or Spain, a most prolific source of dispute.

These facts we have from high authority, and we can add one other of still more weight. The apparent price paid by France for this province, was the erection of Etruria into a kingdom, and the guarantee of it to an infanta of Spain. Within three years Bonaparte seized upon Etruria, and turned the infanta and queen mother adrift, without any compensation or indemnity. By every principle of publick law and justice the property given in exchange reverts to the former owner, and whenever Spain shall acquire its independence, or on the division of the French empire shall rise under a new monarch, she will reclaim this country from *us*, if Bonaparte shall not himself have done it before.

Other objections of vast weight subsist against this purchase. It was a breach of the federal compact. If a certain number of states, of a certain comparative strength, should agree to associate under a federal head, the motives to this union might be a conviction that neither member would ever become too powerful for the rest; and the calculation might be that the seat of empire could never be carried farther from them than a given point. If then this federal head, the mere creature the several independent states, *could add*, without the previous consent of the high contracting parties, a territory equal to all the New England states, embracing a population of foreigners, whose laws, religion, habits, language and prejudices were all hostile to the confederation, and to republican principles, the motives and principles which induced the contracting parties to assent to the compact would be defeated. The whole United States may, by a single other cession, be made a minority. If Louisiana and the Floridas may be purchased on one side, there is more reason to buy Canada and Nova Scotia on the other, and when these are bought, we see no obstacle to the purchase of Mexico. The right and the principle would be the same in all these cases, and yet it would happen that the whole

United States would become a minority ; their religion would be proscribed and popery introduced ; the trial by jury abolished ; the civil law substituted to the ancient system of our fathers ; and finally our republican constitution overthrown. Such I say is the tendency of this measure, and such our reasons for doubting its constitutionality.

Another objection we have to this purchase, is to the patronage and military power with which it invests the President. This country is governed as a conquered one. The example of the executive magistrate having the power to rule by military force any portion of the country, is unfriendly to our security against usurpation. The suspension of the habeas corpus, and the *reversal of a solemn judicial decision*, by order of the President, communicated and enforced through a military officer, are exceedingly to be dreaded, as precedents. The habit of tyranny once acquired is difficult to eradicate or restrain. We shall say no more on this point, except by citing a sentence from the speech of John Quincy Adams, now as devoted to Mr. Jefferson as any of his humble dependents. "After giving (says he) in *four lines* of a law, to the President, all the *powers of a king* over the whole colony of *Louisiana*, he had hoped the supporters of that measure would have been sparing of invectives against publick debt, armies, and executive patronage." See Mr. Adams's speech in senate.

5th PROOF.

SUBMISSION TO THE BERLIN DECREE.

The next example which we shall cite of the submission of our democrattick rulers to France, is the manner in which they received and treated the famous decree of Berlin, which has been the source of all our late commercial embarrassments.

Our government, so far from resisting this decree, apologized for it by presuming that it was a mere *municipal* regulation. This, if it had been true, was a con-

cession of our unquestionable rights, secured by the treaty of 1800, which guaranteed to us the *right* to trade freely between the ports of the several belligerents. This distinction, however, was not founded upon the letter and spirit of the decree, which was extended to the high seas as well as the territorial jurisdiction of France. The pretence of calling it a mere municipal regulation was grounded on the loose and general explanation of Monsieur Decres, minister of marine, who was not, and who declared himself not to be the regular and official organ to decide upon the question. In his note to Gen. Armstrong, who asked some explanation of the decree, he is purposely inexplicit in his answer, but to prevent the possibility of complaint, on our part, he added, "that he had much *less positive* information than the prince of Benevento, as to the meaning of the decree." This implied, that his information was *imperfect*. In this light our government understood it. Yet in all domestick representations of this subject, the government have chosen to consider this as satisfactory, and in all the discussions with the British cabinet, the same view of it has been presented. Mr. Madison expressly admits the right of retaliation, for which Great Britain contends, and reposes our justification on the intention of the French government *not* to extend the *decree to us*, and on our not having *acquiesced* in it.

In his letter, of March 20th, 1807, to Mr. Erskine, he thus excuses our conduct. "The respect which the United States owe to their *neutral* rights, will always be sufficient pledges, that no *culpable acquiescence* on their part, will render them ACCESSARY to the proceedings of one belligerent, through their rights of neutrality, against the commerce of its adversary."

This is an express admission of the British claim of retaliation, and he defends our government from any such acquiescence, which he declares would be *culpable*, on two grounds; first, Monsieur Decres' explanations which were no explanations at all; and secondly, on the

forbearance of France to enforce the decree against us, which excuse was equally unfounded.

It is an unpleasant but a necessary duty to prove, that neither of these excuses were sincere; that our cabinet had no confidence in them, but that they were advanced, partly to repel the just complaints of Great Britain, at our submission to the French decrees, and partly to justify France in the eyes of the less reflecting part of the American people.

Mr. Madison, so far from believing that the explanation of Decrees was sincere, or sufficiently authentick to be relied upon, wrote to Gen. Armstrong, in May, 1807, that our government was anxious to have the *emperor's own* explanation, and *fearful* that this explanation would be unfavourable, he added, "should the French government not give the *favourable explanations*, you will remonstrate against the decrees."

This proves that Decrees' explanations were not confided in, and although the French government, so far from *confirming* them, explicitly disavowed them, yet no remonstrance was ever presented by Gen. Armstrong till November, 1807, one year after the date of the decrees, and six months after he was ordered to remonstrate.

As to the 2d point, the non-enforcement of the Berlin decree—This though so frequently urged was equally unfounded and insincere.

Mr. Madison on the 22d of May 1807, six months before the British orders, wrote to Gen. Armstrong that French cruizers "were indulging their licentious cupidity and were *enforcing* the Berlin decree in a manner that would *constitute just claims for redress*."

If they would constitute *just claims* for redress in favour of our citizens in May 1807, they would of course constitute *just causes* of complaint for our *acquiescence* on the part of Great Britain in November, of the same year.

On the 26th of September of the same year, Bonaparte declared that the decree "had no exceptions in its *terms*, and ought to have none in its application."

American property had also been seized in neutral states on the 24th of November 1806, in Hamburg—on the 19th of August 1807, in Leghorn—and on the 19th of September 1807, in the Papal territory.

Such is a brief picture of the apologizing, humble manner in which the Berlin decree was received and treated by our cabinet.

6th PROOF.

NEGLECT TO NOTICE THE MILAN AND BAYONNE DECREES.

Though France followed up her Berlin decree by the more outrageous provisions of the decrees of Milan and Berlin, the first of which subjected our innocent citizens to capture and condemnation for the offence of having been boarded by a superior British force, and the latter undertook to condemn every American vessel in the high seas, under the pretext of enforcing our embargo, yet neither of these acts have ever received a pointed censure by our government, nor have *any remonstrances* been made against them to the French court.

At least if they have been made they are carefully *suppressed*, and the only reply or notice which the French government has taken of them, is to be found in Mr. Champagny's late insolent note, in which he makes a parade of his majesty's morality, and his tender concern for the liberty of the seas.

7th PROOF.

BASE LANGUAGE AND CONDUCT OF OUR GOVERNMENT TO SPAIN.

But the most flagrant proof of the absolute subserviency of our cabinet, to the iniquitous views and projects of France, is to be perceived in their language and treatment of Spain. If there ever was a case which testified the sincerity of our rulers, in their professions of attachment to the cause of freedom; of gratitude towards those nations which had assisted us in our revolutionary struggle, it is to be found in their conduct to-

wards the patriots of Spain, who are making a last, perhaps a fruitless effort for the recovery of their former liberty.

What Spain had a right to expect of *us*—what *we* ought to have done for Spain, may be best understood by a reference to the conduct of Spain in the beginning of our revolution.

Our chance of success at the time when Spain generously stepped forth to assist us was much smaller than that of Spain, when Mr. Jefferson was *first* called upon to express an opinion upon her affairs.

In the autumn of 1776 long before France or any other nation of Europe had taken an interest in our affairs, Spain permitted our *cruisers* to enter her ports, and received them with hospitality and all the distinction due to the flag of a sovereign and independent state.

Mr. Adams our Ambassador to France, landed in that country and was received with such marked attention and respect, that in his correspondence he seems to want language to express his gratitude.

But Mr. Jefferson when called upon by the united opinion of all honourable men to express his sympathy for these patriots, coldly and barbarously replied “that the contest in Spain was a mere struggle for power.” Thus placing upon *equal* ground the generous exertions of a free people to throw off the yoke of a foreign tyrant, and the most shameful example of perfidy and unprincipled force which the world had ever witnessed.

Shall it be said that Spain still preferred the mild reign of one of its native *monarchs*, and that this alone rendered it improper for a *republick* to feel an interest in her fate? It should be remembered, that Spain when she assisted us was equally hostile to our *republican* institutions, and yet did not hesitate to render us her assistance.

We cannot overlook the refusal to receive the representative of the Spanish People, Don Onis, authorised as it is said to settle the disputed boundaries of Louisiana,

and to grant eight millions of dollars to our citizens for losses sustained in consequence of the influence of France over the Spanish court.

This was the more injudicious as it is almost certain that the Spanish colonies in South America will retain their independence, and their friendship will of course, be vastly more interesting to us, than that of the powerful Emperor of France.

The disgraceful subserviency of our administration was still more obvious in the late attempt to make a provision for a minister to the court of the usurper Joseph Bonaparte at Madrid—This measure was too abominable even for the obedient majority of the house of representatives, and it was rejected by them with disdain.

8th PROOF.

DISREGARD OF THE INSOLENT LANGUAGE OF BONAPARTE AND HIS MINISTERS TOWARDS US.

Though our government have been so ready to take fire at the most remote and obscure and invisible imputation from a British minister, and instantly to inflict one of the highest punishments which the law of nations will permit, yet no publick notice, no mention has ever been made to congress of the repeated and continued insults of the *emperor* and of his *ministers*—Not *one letter* has ever appeared from a French minister which has not been written in a purposed style of hauteur and insult—Nor can it be pretended that our government were so blind as not to perceive them—When Champagny in 1807, told Mr. Armstrong “that there should be no neutrals, and that the United States were actually at war with Great Britain,” Mr. Madison wrote privately to Armstrong about *six months* after the insult, “that this letter had the air of an assumed authority, but that he must so present the insulting expressions to the court of France, that while he should make them sensible of the *offensive tone* em-

ployed, he should leave the way open for friendly explanations if they should be disposed to make them."

This then proves that our government considered it an *insult*, and yet it never was noticed as such by the President, or by any organ of the administration in a publick manner. Nor is this all. Armstrong has never remonstrated from that day to the present, or if he did, the answer was so *affrontive*, that the government keep back both the complaint and reply. We have however a reply in *general terms* to all our complaints, in that last model of unexampled affront, and deliberate insult, written by count Champagny, and communicated to Congress by Mr. Madison, without *one remark* injurious to France. This letter contains a general rejection of all our prayers, entreaties, and complaints, assures us that his majesty is unalterably resolved to persevere in all his decrees and seizures, and that though he approves what we have already done by his orders, yet that he expects we should go farther and join him against Great Britain. This is the substance of that letter, and yet Mr. Madison passes it over without comment. It is probable that the whole style of the French government's correspondence is of the same nature, because our trusty and well beloved cousins of the emperor in *our* cabinet, have taken care to give us only "here a little and there a little," detaching members of the same sentence, the relative from its antecedent, and the nominative case from the verb, so as most studiously to conceal, not only insults, but the sense of every passage. This is what, in the language of the administration, is called a strict and impartial neutrality.

PROOF 9.

NOMINATION OF MR. ADAMS TO RUSSIA.

The appointment of a minister to a court with whom we had never before had any intercourse; with whom we had no political ties; no questions to settle or adjust; by a *party* too which had professed its hostility to all foreign connections; and immediately after the

senate had unanimously negatived one nomination, and had declared, that in the opinion of that body, no such mission was necessary, was calculated to awaken the curiosity and excite the fears of the people. But the appointment of such a minister, in the midst of a destructive war, to the court of one of the belligerents; to the ally of France; to a cabinet which was co-operating in the commercial warfare against Britain, was still more alarming inasmuch as it could not fail to be viewed with jealousy by Great Britain, to render her less disposed to accommodate her differences with us, and more *suspicious*, (if it was possible to increase her just suspicions on that head) of our secret devotion to France.*

It had a most “wonderful coincidence like our embargo, with the general measures which France was pursuing.”

When to the natural circumstances of suspicion, which the mission itself presented, we add the declaration of Monsieur François de Neuf Chateau, in a late pamphlet, printed by him in Paris, and that of the senate of France, in their reply to the emperor, in which they consider the union of America with the continental powers in a *common resistance*, in other words, a war, as certain; when we add to these, the declarations of Mr. Burwell and Mr. Smilie, on the floor of Congress, approving the idea of a northern confederacy, we confess we can see no room to doubt, that such is the object, and sole object of the unaccountable embassy to Russia, previously agreed upon and concerted between the emperor and Mr. Jefferson. It may fail of success. Russia is only playing a coerced part. She may refuse; and we shall then be told that the project did not exist.

PROOF 10.

SUPPRESSION OF OUR CORRESPONDENCE WITH FRANCE.

“Republicks should have no secrets,” was the democratick doctrine before they got into place, and now the

* See note.

reverse of that rule has grown into fashion, and nothing is to be *divulged*, except when you can get a chance to inflame the passions against Great Britain. In every stage of our negotiations with France, after the rupture of them as well as pending the discussions, all satisfactory information is kept back. The mutilated extracts which are scantily exhibited, abundantly prove that the *worst* part is constantly withheld. Why suppress the rest? It must be; because it is dishonourable to France or dishonourable to our cabinet. As to *secrets*, we ought no longer to have any with a nation which *avows its determination* to persevere in its hostility; let us then have the worst of its conduct; let us see it in all its deformity. We see enough to be sure, and too much to satisfy us that we are despised, buffeted, insulted, and plundered. But the pertinacity of our administration, in withholding information, can only be equalled by their effrontery in mocking the people with their pretended impartiality. When Mr. Jefferson communicated to Congress the *insolent letters* from France last year, he did it on the express condition, that they were to read them, and "return them to him." He would not even trust the legislature of the union, with *mutilated copies* of the French correspondence.

Some patriot, however, disclosed them to the people, and we discovered the base and ignominious course of that correspondence; a course, at which, even Armstrong blushed for his country and himself.

At the present session, the conduct, as to communications from France, exceeds in baseness that of Mr. Jefferson. The *whole of the orders*, or instructions to Armstrong, is suppressed. All the negotiation with Hauterive, the offers made and rejected are also suppressed, and nothing is given to us but the *publick letter* of Champagne, which we should never have had, if Bonaparte had not first caused it to be published in *Amsterdam*. If it had not appeared in the American prints it never would have been given to Congress, and we should have remained ignorant that Bonaparte totally

rejected our *final offers*. What *they* were we know not. The whole object of Mr. Madison, in publishing Champagny's letter, was to make such a *favourable* translation of it as would lessen its atrocity. But they dare not trust the publick with the original.

Repeated attempts have been made by Col. Pickering, in the senate, and Mr. Mosely, in the house of representatives, to procure some light into our affairs with France, but it is most sedulously withheld.

PROOF 11.

THE *AFFECTED* RESENTMENT AGAINST FRANCE.

For many years after France had commenced her system of injustice and insult against us, our administration and their friends did not even put on the exterior appearance of resentment, which would have cost them so little. The capture of our ships on various pretences—the law of France passed *many years* before the Berlin decree, that no vessel should be admitted to an entry which had touched in Great Britain; finally, that such vessel and cargo should be confiscated, the repeated instances of enforcing these decrees did not call forth from our government the smallest complaint. They were considered as lawful *exercises of power*, and not *even* to be countervailed by corresponding restrictions.

The Berlin decree with its explanation *not believed in by any one*, and *least* of all by our administration, was received with equal indifference; but Bonaparte's declaration that he would have *no neutrals*, the rigid enforcement of the Berlin and Milan decrees, and the seizure, as Gen. Armstrong says, of 17 millions of dollars, *at last* compelled our reluctant and lethargick ministers to put on a *semblance* of irritation.

From that day to this, the government and its partizans have adopted a course which, I dare say, they *believe* imposes upon the people for a species of impartiality. They *affect* to talk of France and Great Britain as having *both* been guilty of aggressions. *Late*

and *unexpected* as even this language is, it is too frail and too transparent to deceive any one.

They are willing to preserve the appearance of impartiality, to bestow one or two faint censures on France, for which they take care to atone to his Majesty the emperor, by many solid concessions and serious humiliations, and then they fly with a carnivorous and greedy appetite to their natural prey, Great Britain. Thus we recollect Mr. G. W. Campbell's report to Congress, and his resolutions not to submit to either belligerent—While *ten* lines were occupied about French insults and injuries, twelve pages were employed in gross abuse of Great Britain. This subject leads us to notice the

12th PROOF.

MR. MADISON'S LATE MESSAGE TO CONGRESS.

What was our situation with France at the time when this message was written? What were the outrages which ought to have pressed upon the mind of the President, if he had not been callous to all the injuries of France? Twenty millions of American property either sequestered or condemned—Several hundred American citizens in close confinement as prisoners of war, many of whom were taken on the *high seas*, and avowed by France to be Americans—The *burning of our ships* without the pretext of any decree, neither apologized for, explained, or compensated, nor even any *answer* to our minister's memorial on this subject, dated July 10th, 1808—The insolent letter of Champagny of December, 1807, in which he declares *war for us*, and which Mr. Armstrong was directed to present to the French cabinet for *explanation and atonement*, wholly unnoticed and unatoned—The Berlin, Milan, and Bayonne decrees in full force, all of which have been admitted to be the grossest violations of our rights.

With this accumulation of insult and injury to which had been recently superadded, the positive declara-

tion of the emperor, that he *never would alter* his system until we should take an active part against England, Mr. Madison, who had been just abusing Great Britain in "words that burn" coolly and mildly observes that "with France the other belligerent whose *trespasses* on our commercial rights have long been the subject of our just remonstrances, the *posture* of our relations does not correspond with the pains taken on the part of the United States and effect a favourable change." A *trespass* is the *lowest* possible degree of injury of which the law takes notice—Yet Mr. Madison describes all these injuries and outrages of France, as simple *trespasses*—Instead too of imputing to France the failure of the negotiation, instead of saying that she had haughtily and imperiously rejected all our offers and advances, he simply declares "that the *posture* of our affairs does not correspond" with the meanness of our advances—In communicating the correspondence with France, he shews the same partiality; while he sends to congress eighty eight pages of our correspondence with England, the whole negotiation with France, is comprised in seven—and these seven are avowed to contain only the "*result* of the correspondence"—The nature of our offers—the manner in which they were enforced—the temper and argument of the replies of the French officers, (if any were given) all of which are necessary to a right understanding of the French policy are studiously kept within the executive breast, and congress are called upon, the people are entreated to *support* and uphold an administration which in its turn places so *little confidence* in the people—Yes! fellow citizens we are called upon, we are required by the force of Anathemas, and denunciations to attest and subscribe to the infallibility of Mr. Madison, while he has not sufficient respect for our understanding, our patriotism, and our RIGHTS to entrust us with even a *meagre* portion of information in his possession to enable us to form an opinion of his measures,

LAST PROOF

MR. ROBERT SMITH'S LATE REPORT ON THE CONDUCT OF THE SEVERAL BELLIGERENTS.

It was known to all the mercantile world that during the last year, our commerce had not been interrupted except in a few instances, necessarily incident to a state of war, by the navy of Great Britain, which covers every sea—On the contrary that Great Britain had afforded great protection to our trade by convoys and captures.

It was equally well known that Denmark, so recently a neutral, and so often smarting under the operation of belligerent principles, and which had professed itself the friend of neutral commerce, had made the most profligate sweep upon American commerce. France too with her usual assiduity in the cause of rapine had been successfully busy in plundering, capturing or destroying all the American property which the feeble state of her marine and the dread of her enemy would permit.

In this well known state of things, particulars of which will be given in the notes, Mr. Robert Smith was called upon to state what facts had come to the knowledge of the department of State relative to the aggressions of the belligerents.*

The most extraordinary document that ever was laid before any publick body is the report of this Mr. Smith.

It was convenient for *France* that *he should* presume that congress only wanted authentick evidence of such *condemnations* as had been made by the *highest* tribunal.—This was the same *distinction* set up by our impartial cabinet as to the *Berlin decree*, for although the *Horizon* had been *condemned* in July by the lower court, Madison considered that there was no cause of complaint till the decision had been confirmed by the *upper tribunals in September*—This is directly opposed to all our conduct as to Great Britain, where we have always complained to the government, of the acts of their vice admiralty courts, when there was an appeal prosecuted—Mr. Smith accordingly gives us only the cases of

* See notes.

actual condemnation by the upper courts in France, which are shameful and numerous enough to be sure as we shall shew in our notes*—He then states generally the information received from Denmark, but takes care to apologize for both, first, by saying that these captures were owing to the frauds committed by Americans in taking British licenses, &c.—2d, That it does not appear that these acts were *authorised* by their respective governments.

It is somewhat curious that the same man, an officer of our own, who rejects any evidence of the injuries committed by France and Denmark, unless accompanied by proof of *condemnation by the highest courts*, should accept the mere hearsay criminations of *our own countrymen*, contained in an *exparte* memorial of a few prejudiced shipmasters, and should announce to the world as also Mr. Madison did in his speech the existence of American frauds so extensive and general as to give full justification to courts already predisposed against us for indiscriminate seizure and condemnation.

It is also extraordinary that men who have kept this nation in a flame for several years, owing to the unauthorized acts of *distant* agents of Great Britain, should apologize for the illegal acts of French and Danish officers committed under the eye of their masters, and often in the *very ports*, as being *possibly done* without authority.

It is a little singular, that Mr. Smith should have neglected to notice *the burning* of several of our merchant ships several weeks before the meeting of Congress, and of which facts, affidavits were sent to the Secretary of State. We can perceive no other evidence which *can* be offered, in a case of *burning*, for there is no decree but the mind of the tyrant, and no executive officer but Fire, which effectually puts it out of the power of the party to produce any evidence but the affidavit of the crew.

* See notes.

This act being a *repetition* of the outrages, of which Armstrong modestly enquired, in July 1808, and which Mr. Madison directed him to “present to the French government in a way to *awaken* them to the sense of the injury,” and which he pronounced to be the “most *distressing* mode by which belligerents exercise *force* contrary right, and it appearing, that the French government not only continued to *sleep* upon these complaints, but had gone so far as to repeat them; the total silence of Mr. Smith upon this topick is wholly unaccountable, unless upon the principle of a fixed desire to overlook and palliate all the injuries of France.

It is a little odd, that while Mr. Smith could not feel justified in reporting on any French aggressions till final condemnation, he should have departed from that rule as to Great Britain, and as he could not find a single case of new condemnation on her part, he talks about the various “principles under which her cruisers continue to capture our ships.” He does not state that he knows *a single fact of the kind*.

Let one rule or the other be adopted—If we take condemnations in the upper courts as the test, we shall find that Great Britain with her *thousand ships* has not condemned finally one tenth part of the number which France and Denmark have each of them done—If you take *captures* as the rule, you will find that Great Britain has recaptured and saved for us more than she has taken, while France and Denmark have captured on *the high seas*, distinct from seizures, more than a million of dollars since the embargo was removed. Still, however, notwithstanding their injustice, by the blessing of heaven, and the force of Great Britain, in keeping in the cruisers of her enemies, and restraining their rapine, our trade has been prosperous almost beyond example.

REFLECTIONS ON THE ABOVE TWO GENERAL HEADS.

It may occur to the charitable part of the community, whose very virtues sometimes lead them into error, that the picture which we have drawn of the hostility of our administration to Great Britain, and of its devotion to France, is too highly coloured—They may say that it is scarcely credible that any men placed in such responsible situations, could be so warped by passion as to lose sight entirely of the best interests and unquestionable rights of their country—They may doubt too the policy of exhibiting their conduct towards foreign nations in so strong a point of view, on account of the possible effects and bearings of such representations on the policy of other nations.

These two objections require a few words of explanation and reply—Our object is to confirm the wavering—to prop the irresolute and to encourage the strong—It would be a manifest departure from our design, if we should so conduct the execution of it as to give unnecessary offence or dissatisfaction to the mildest of our political friends.

1st. Is the picture we have given too strong? Is it *unjust* towards our rulers? Peruse the facts we have stated with care—Put your finger on any one which is even misrepresented or discoloured.

If you shall fail in being able to do this, ask yourselves whether such a mass of facts, *concurring all to establish these two great propositions*, CAN be the result of accident—Treat this question as you do all others—See if the *evidence* be in the first place *credible*, and then what is the irresistible verdict or issue which you are obliged to find.

But again, in requiring you to believe that our rulers have these violent antipathies and partialities, we do not ask you to credit any new and incredible species of human *depravity and corruption*.

Far be such a thought from our breasts—We ask you to believe only that they are *men*; *frail, fallible*

men—men neither worse or better than the generality of mankind ; but men whose passions when indulged will occasionally get the better of their duty—men, whose ruling passion (which is too apt to be the master of us all) happens to be the lust of power—the desire of place—and who connect, *justly* connect the maintenance and support of their incorrect principles with the existence of their *party*.

We suppose them to be just such men as were the Jews, who, in spite of miracles, and the most convincing doctrines, adhered to the errors of their religion, and persecuted because they were determined *not* to believe.

We consider them like the Jacobites, the tories of Great Britain who opposed the revolution, and who against all fact and evidence, continued, and some of them still continue to believe the existence of the Pretender, who was *never born*, except in the imagination of the adherents of the house of Stewart.

Time and passion have unhappily connected the cause of France with that of our democrattick party, and as France is necessarily the antipode of Great Britain, every honest democrat must execrate the British government. We forbear to pursue the gradual growth of this sentiment till it has ripened into poisonous fruit. It deserves a distinct and separate developement. A fragment of this nature may be found in this work, but enough has been said to shew that the politicks of Great Britain and France are interwoven, deeply interwoven with the politicks of this country. The man must be blind who does not perceive it, and a coward who is unwilling to acknowledge it.

A French triumph is celebrated at Washington with as much heartfelt satisfaction, if not as much parade, as in Paris, and it is not too much to say, that so electrifying are the effects of such extraneous accidents, that the success of an election has been decided by the arms of a French legion. It is in vain to lament or censure, and still more foolish to deny the fact. We

are aware, that the charge is retorted, and that the federalists are accused of being under British influence ; but Britain cannot be accused of being a very successful intriguer. There are one hundred federalists who are ready to exclaim against many of her just and proper acts, to one democrat who expresses the smallest dissatisfaction at the conduct of France. The utmost of which the federalists can boast, with all their acknowledged superiority of talents, is, that they have *preserved* the country hitherto from a *British war*. Here is the limit of their efforts.—But no exertions are or can have been necessary to RESTRAIN the FURY of our citizens against France, though posterity (if we should ever have any, who are not mongrels of French soldiers and American women) will blush at the turpitude which could submit without indignation to such continual and repeated injuries and insults from France.

Great Britain has no secret system of foreign espionage—She relies solely on the power of her arms and the justice of her measures—She does not sufficiently consult the feelings of other nations, and holds *too cheap* those unmeaning professions which have done as much for France as her arms.

But France has, for more than a century, pursued a different course. Her publick ministers in foreign countries are mere pageants. From the days of Louis XIV, she has kept up a set of private agents at every court, with whom all the *real business* is transacted. Turreau, therefore, may be, and probably is a mere man of show, the efficient minister is not known or suspected. The world owes the knowledge of this secret to the French revolution. At that time, foolishly believing that their republick was to be eternal, and holding to the doctrine that the republick should have no secrets, the convention seized on the papers of Louis XVI, and published the whole history of the secret intrigue, which they had carried on with all the courts of the world. This book is entitled, “Politique de

ous les Cabinets," from which we shall make some extracts in our notes, but we shall merely shew now, that America was not deemed beneath their notice in 1776, and that she thought it proper to have *private* agents here at that time. We think we can trace the influence of these agents, regularly kept up, from that day to the present.

In this valuable book, we find that one of the means proposed to Louis XVI, to gain an ascendancy in this country was to endeavour "to ascertain *every* thing which passed in the English colonies in America, without having there any direct or characterised agent."

So much for the first objection, which we have anticipated as possible.

For the second, the *effect* which such writings will have upon foreign nations, we have the following replies, which we hope one or all of them will satisfy our readers of tender conscience.

1st. From personal knowledge, we can assert that our political writings are seldom read in Europe, and less in Great Britain than France.

2dly. That if the tendency of such writings should be (as *is foolishly* pretended) to encourage Great Britain to persevere in her claims, under an idea, that our government will, by the force of our reasoning and opposition, be compelled to yield, the effect must of consequence be equally strong the *other* way upon France, by convincing her that a large number of our citizens are opposed to a French alliance which she demands, and that our government cannot resist this antigallican party; so that it must do us as much good in France as injury in Great Britain.

3dly. Great Britain understands too well the nature of free governments, to interpret *every political* essay into the expression of the publick will. If the majority of the *votes* are against her wishes she will care little for what *is said* by newspaper writers. If the effect of such writings should be a legitimate change of votes, and a majority should be found to disapprove the con-

duct of administration, then indeed the effect may be produced which is *feared* by the *democrats*, an effect, for the express production of which the right of the press is held *sacred*, and to which it ought to be devoted.

But 4thly. Whatever effect these writings may have on your rulers, or foreign nations, it is both a *lawful* and *valuable* effect. It is a lawful one, because it is the *very* check, and the *only* check, which the constitution has provided against the abuse of power by rulers. They might *sell* your country, if you could not be at liberty to shew to the people the infamy of the bargain. It is a *valuable* effect, inasmuch as it may deter the rulers from corrupt and dangerous projects, and it holds forth to foreign nations motives why they should not plunge us into a war, under the *hope on the one side* and *fear* on the other, that our councils may return by internal and constitutional changes to a fair and impartial course of conduct.

III.—HOSTILITY TO COMMERCE.

THE THIRD GENERAL CHARGE we advance against the administration is the UNDEVIATING PURSUIT OF A SYSTEM OF MEASURES HOSTILE TO COMMERCE.

The establishment of this charge convicts our rulers not only of want of wisdom, but want of good faith, and an unprincipled violation of the letter and spirit of the federal constitution. We offer this as an apology for entering more into detail under this head, than would otherwise appear consistent with the plan of this manual.

Mr. Jefferson as early as 1782 pretending to believe, that “it was best for America to abandon the ocean altogether—to leave to others to bring, what we might want, and to carry what we could spare—that it would be time enough to seek employment for our citizens at sea, when the *land* no longer offered.”—See notes on

Virginia—In 1807 he “congratulates us, that we are preparing for ourselves those comforts and conveniences of life, for which he says it would be unwise evermore to recur to distant countries.” Answer to New Hampshire address.

But the Chinese policy had not its origin even in the folly of speculation. The theory was published to conceal a *selfish base jealousy* of the commercial states. For the same restless *envy*, which gnawed like a viper on the vitals of Greece now infests our own, and we may one day complete our resemblance to Athens and Sparta in our ruin.

At the commencement of our revolution, New-England was less known and perhaps not more respected by the southern provinces, than the Creeks or Miamis. There was no room to envy a people whose fortunes were too humble to make their history studied. But in the heat of conflict, when our passions should have had no object but our enemy, the spirit of jealousy haunted our earliest triumphs, and mingled with the first hopes of independence.

It was then discovered, that our physical strength, our national resources were to be found north of the Chesapeake. During the war Washington was compelled in spite of local prepossessions to declare, that his hopes of independence rested chiefly on the strength, and spirits, and energy of New-England. The fact was, that our exertions to secure the rights, we are so earnest to preserve, were far beyond our portion according to ordinary calculations. During the war the regular troops raised by Massachusetts, and actually in the field exceeded the regular troops raised and mustered by Virginia nearly 20,000 men.

The United States assumed of the debt of

Massachusetts	- - - - -	\$ 4,000,000
And of the debt of Virginia	- - - - -	3,500,000
The citizens of Massachusetts funded	-	11,500,000
The citizens of Virginia	- - - - -	969,173

And on an adjustment of the balances due the several states from the U. States, the sum of one million and a half was awarded for Massachusetts, not as payment of her just claims, but as the most the debtor states would accede to.

The unparalleled increase of our commerce and capital since the peace has only envenomed the jealousy which the discovery of our resources had excited.

In 1791 Massachusetts exported only	\$ 2,519,650
Virginia exported - - - -	3,113,865
leaving a balance infavour of Virginia	594,215

But in 1804 the enterprize of New-England, commensurate with her resources had so far altered the situation of these

states that Massachusetts exported - -	16,894,379
And Virginia exported only - - -	5,790,000
leaving a balance in favour of Massachusetts of - - - - -	\$ 11,104,379

This constant and rapid accumulation of capital, attended with a correspondent progress in refinement and the arts, tended only to irritate that spirit, which dictated the sacrifice of our fisheries to France in 1781-2, and has since made us abandon the ocean to second her projects of empire.

This hatred of commerce was fostered and nourished by its consistency with hatred to England, and devotion to France. Our trade with England has been of prime importance to our navigation, as it afforded us a ready market for more of our domestick produce, than all the rest of the world, and furnished chiefly on credit the articles of necessity, convenience and elegance for home consumption, for our intercourse with other countries and especially our trade in the Pacifick ocean. The advantage of this trade to both countries, may be measured by its extent.

According to Mr. Gallatin's famous report in 1806, calculated on an average of three years 1802-3-4 our

capital and credit employed in the trade with England, amounted to - - -	\$59,500,000
While our trade with all the rest of the world employed a capital and credit only to the amount of - - - -	44,759,000
The revenue calculated on the average of these years amounted to - - - -	11,550,000
Of which amount the imports from England paid - - - - -	5,432,000
And the trade of the rest of the world -	6,118,000

While our trade yielded to Great Britain only about one *eightieth* part of the immense revenue she is compelled to raise to maintain her own credit, and defend the liberty of the world.

As the trade destroyed with England by a commercial warfare, commenced under the pretext of protecting it, would be forever lost, or by some political necromancy revived only with France under every disadvantage, which the jealous demagogues of the South would accede to, the system of Mr. Jefferson was so contrived as to gratify all the views and feelings of his partizans. And on examination it will be found, that all his political manœuvres in relation to commerce have tended either to IMPEDE OR OBSTRUCT OR ANNIHILATE IT, OR TO DIVERT IT FROM ENGLAND TO FRANCE. We will very briefly refer to the evidence of this position.

This hostility to commerce and the commercial states is proved,

1st.

BY THE OPPOSITION TO THE FUNDING SYSTEM.

Without it, the public creditors were left in the worst possible situation. The principal and interest of the debt, which was the price of our liberty, would have been almost as useless as precarious. But the funding system, which was as just as politick, revived in the commercial States at once a large capital adequate to our spirit of enterprize, and sufficient to furnish a *revenue*, that would pay all the ordinary expenses of

government. But as Virginia did not hold one million of dolls. of the public debt, while Massachusetts held eleven and a half millions, there was no more disposition to allow us to avail ourselves of it, though in a way as useful to the country as to ourselves, than to pay the creditor States the amount of the balances due them from the Union.

PROOF 2.

OPPOSITION TO THE ESTABLISHMENT OF THE *NATIONAL BANK.*

That such an institution was absolutely necessary to the prosperous administration of our finances, must have been evident to every man, who knew the situation of our country—that the revenue was collected at numerous ports, all distant from the treasury—that in the management of our concerns money was to be paid in other places than where received—that to *punctuality*, which is the life and soul of credit, some mode of facilitating payment, without delay, hazard, or confusion was indispensable—and that in the administration of every government there were exigencies growing out of circumstances, if not beyond human control, yet out of ordinary calculations, which rendered such an establishment as prudential as convenient. The only objection to this institution grew out of the necessity of the mutual aid and support it must give and receive from mercantile capital—from the “*monied interest*,” which these aristocratick demagogues have so long laboured to bring into contempt and expose to public odium. They saw that its negotiations must centre in the commercial marts of the country, and that any political influence attached to it would belong to the same portion of society. This foresight made them overlook all the benefits of this favourite plan of Hamilton, and excited a loud, long, and vehement opposition, which in vain sought to conceal its malignancy under a pretended regard to an abstract principle. Our previous remarks shew the sincerity of their zeal.

PROOF 3.

OPPOSITION TO A NAVY.

An extensive and lucrative commerce without an effective navy is almost a contradiction in terms. The necessity of this protection to the success of national policy and private enterprize inspired the commercial portion of society with their zeal for the Federal Constitution. Mr. Jefferson also had stated in his "Notes on Virginia," that the United States in one year might build and equip eighteen ships of the line and twelve frigates. From such resources, thus admitted and theoretically applied by such a man, they naturally considered an effective naval armament pledged to them. Under this delusion, and convinced that the protection of commerce would give security to life, liberty, and happiness, they readily agreed to the sacrifices required of them in the constitution, and among other things abandoned their proper influence in the Union to the slave-holders of the South—With what sensibility did they afterwards hear these same men, in 1794, rejoice, "that the wood, which was to build our ships, was still growing on our mountains!"*

The first attempt of the federalists at a naval establishment was immediately after the capture of eleven American ships and 100 American seamen by the Algerines, whose success had stimulated them to prepare for extensive depredation on our unprotected commerce. But *Mr. Jefferson's partizans*, with that dastardly spirit, which jealousy is ever weak enough to betray, opposed every kind of naval armament, and insisted that *Americans* should adopt one of two substitutes—1st. PURCHASE A PEACE, though the experience of every age and our own fruitless attempts proved, that the Algerines only sold a peace to those who claimed it under their own flags, and at the mouth of their cannon—or 2d. "*That we should* SUBSIDIZE *other nations to protect our commerce*"—though the danger of such a measure, of trusting for protection to nations who would make peace the first favourable

* Mr. Giles, then in the House of Representatives.

opportunity and leave our commerce a helpless prey to pirates, was as gross and palpable as its *dishonour*. Every man can discern how well such schemes comport with national pride and national faith—how much regard they evinced for the success of commerce, and how much interest “*in the cause of suffering humanity.*”

The same men discovered the same temper and urged a worse policy in 1798, when France had plundered us on every sea, organized treason in the states, blockaded our coast with her cruizers and demanded a tribute of 50,000*l.* sterling as the price, not of substantial justice, but of formal negotiation. Every obstacle, that art and intrigue could create, and that impudence dare resort to was opposed to a naval establishment. These men had not a nerve, that shrunk under our sufferance of the most savage pillage and outrage. The journals of Congress at that period are as disgraceful as those of 1781, which ought to exhibit to us the series of treacherous attempts that were then made to deprive us of the Fisheries, and transfer them to France—This solemn fact is on record. *When the French every where practised PIRACY on our commerce, and held courts only to legalize it, Mr. Jefferson's partizans, to a man, insisted that we should not resist.* According to these Patriots, we were cheerfully to abandon our claims to the “*Grand Monarque,*” and patiently be pillaged by the *terrible republick.*

Since the accession of Mr. Jefferson to power, our naval establishment has been reduced from 15 frigates and 12 ships, to 9 frigates and 2 ships. Part of the vessels in commission have been sold, and as if to mock the claims of those, who directly furnish the revenue of the country, to irritate them by an idle waste of sums, which, if wisely employed, might have afforded effectual protection against imperial piracy, they have heard only of schemes of dry-docks, of whirlygig-gun-carriages, and torpedoes, and have seen our fleet transformed into gunboats, which excite our alarms for their

safety in the storm, instead of affording us some promise of protection in war.

Do we ask further evidence of the last and present administration, having adopted, as their motto, the countersign of Bonaparte—"PERISH COMMERCE?" The proofs are at hand.

PROOF 4.

ACTS RESTRAINING COMMERCE, CALLED BY MR. MADISON, "THE EXERCISE OF OUR RESTRICTIVE ENERGIES."

A succession of measures, all urged under a pretence of their tendency to support commerce, but calculated, on the face of them, to restrict and contract if not destroy it, has marked the party in power from its first factions organization. Every limitation was to extend, every shackle was to secure its freedom, as if girdling the trunk of the elm would increase its growth and strength. The fact is, that Jefferson had inspired his immediate partizans with his own jealousies, and deluded his Northern friends with the cant of a demagogue, and the gloss of a sophist. They agreed that he should make our commerce the fulcrum of his policy, instead of using our resources to protect our commerce—that he should throw on it all the burdens of his blunders, and make it at once the instrument of his warfare and intrigues. If he succeeded, he had of course the credit due to his measures. If he failed, he had still a word of comfort to cheer us amongst the wrecks of desolated commerce. He would repeat to us coolly and philosophically that "we could now abandon the ocean altogether, and let others bring what we wanted, and carry away what we could spare." We shall find that Mr. Jefferson never relinquished the concession made to him by his party.

The first attempt to restrain commerce, made under the auspices of Mr. Jefferson, was the introduction of Mr. Madison's resolutions into Congress, in 1794, in order to establish commercial discriminations between France and England. At that period, France had never

made any difference in her ports between England and America; whereas England, by her discriminations in our favour, had given us a monopoly of some articles of domestick produce, and enabled us to sell others cheaper than any other nation, and at a greater profit. The importance of the trade with England to our country and revenue we have before briefly stated. We here farther observe, that England was the great market for our domestick produce. According to Mr. Gallatin's reports, we have in some years sold ten times as much to England as to France. In his famous report, in 1806, which was intended as a preamble to Gregg's and Smith's non-importation resolutions, it appears, that on an average of the years 1802-3-4, we exported domestick produce to England \$20,653,000
 To the rest of the world - - - - 19,275,000

The freight of the tonnage employed in the trade with England, at the rate of 2 dollars per ton per month, would have amounted annually, at least to - - - 7,000,000

This immense commerce was to have been jeopardized by this attempt to commence an irritating warfare of commercial discriminations. All those asperities were to be excited, and all those dangers to be encountered, which would naturally result from such a contest, in which our avarice would have been disappointed, and our hatred lose none of its acrimony. But for what cause, what mighty boon were these hazards to be courted? They have been avowed, and to the disgrace of our country, they never will be forgotten.

Mr. Jefferson, in his official investigations, had discovered that Great Britain, in one year, furnished us with goods to the amount of - - - \$13,960,000

France only to the amount of - - - ,155,000

It was at once determined to turn us out of the market we were induced to seek, because we sold dearer and bought cheaper than elsewhere, and compel us to drive a trade with our sister republick. Mr. Madison, after this statement of our trade with the two countries, and

some fallacious remarks about the balance of trade, observed. "What must be the feelings of France, between whom and the U. States the most friendly relations exist, when she sees not only the balance of trade against her, but that what is obtained from her, flows into the coffers of one of her most jealous rivals."

A single vote prevented the adoption of this ruinous policy, for whose furtherance, Mr. Jefferson, in his official capacity, furnished a deceptive report, which was, to his eternal disgrace, fully exposed by Hamilton. When we add that this measure was urged with a view of defeating Mr. Jay's mission to England, its character is completely disclosed. It was an attempt to sacrifice our commerce under an affectation of national gratitude. [5. Marshall's Washington, cap. 7.]

The Bill prohibiting the Trade with St. Domingo, is to be classed under this head, and though perhaps less important in point of extent, will forever be dishonourable, for the principle on which it was founded. We have in another place distinctly expressed our sentiments on this plain proof of the influence which trouled our cabinet. We refer to it again in this place merely to show how unworthily the government have abandoned more than once the commerce of our country, when put in competition with the claims of France, of whatever nature or however urged. The men who would not give it a defence against her piratical cruizers, did not hesitate to annihilate it at the command of an Imperial mandate.

The only difference between these acts and the other restrictive laws on commerce is, that the others had some apology in an intention to abridge English revenue as well as our mercantile profits. But in this case we were the *sole victims*. *England gained directly by this restriction*. The men who declaim so much about British *licences* for the *extension* of our trade, felt no compunction at its *reduction* by French *exclusions*; and, according to custom, shewed a disposition to sacrifice more to propitiate French power, than they would spend to protect American commerce.

To prove the undue influence of Mr. Jefferson over his party in Congress, and how far the madness of a demagogue may injure a nation, we insert an anecdote in relation to this proceeding which ought not to be forgotten.

The first attempt that was made in Congress to prohibit this trade was literally scouted out of the capitol, as impolitick, oppressive, and disgraceful. Whether General Smith had made investments for the St. Domingo market, or had not contrived modes of evading the law he was to vote for—or whether, as we hoped, the manly spirit of our legislators resisted what Mr. Jefferson once called “*too much regulation,*” our national rights seemed for the time protected by national feelings.

But the delusion was momentary. The *will* of Bonaparte at length assumed a more awful *form* than that of *request*. Talleyrand charged the government with *giving facility to rebellion and robbery*, and the heroes of the cabinet quaked. Dr. Logan, the envoy extraordinary of Mr. Jefferson and his party to France, during the administration of Mr. Adams, became the organ of his friend in the Senate. He met with equal success in both enterprizes, for he persuaded Talleyrand to negotiate in the first case, and Congress to submit in the second. His bill was run with such an *hurry of terror* through Congress, that they who were permitted to hear it before they passed it, knew scarcely any thing of its provisions. Mr. J. Q. Adams, who did not at that time think, “it was best to act first and then deliberate,” had only time to observe, “that the bill was a needless interference of government with the regular course of commerce.” His objection seemed to furnish an argument for the measure, and the mandate of Bonaparte became the law of the land.

We have before shewn that this bill was a base surrender of our honour and independenee. We have no data at hand from which we may calculate the amount of the loss, but whatever it was, the merchants alone felt it.

THE NON-IMPORTATION, EMBARGO, AND NON-INTERCOURSE LAWS.

These measures are all of the same character and have the same direction, under the same motives. The temper that only dared to refuse protection to commerce in 1794 and '98 has grown bold enough to project its ruin.

As in this general sketch, it is impossible to point out all the motives and tendency of particular modifications of the system, we shall under this head confine ourselves to a consideration of the operation of the embargo. This went at one stroke "*to make us abandon the ocean altogether,*" and supplements would have been invented, if a servile temper in the people would have suffered its continuance, which would exclusively have permitted "*others to bring us what we wanted, and to have carried away what we could spare.*" The produce of the south would have found a market in foreign bottoms, and we should never again have "*jostled on the high seas with other nations.*"

The letters of Champagny and Hauterive, which we have quoted, shew, who "*applauded our generous determination of renouncing all commerce,*" and who denounced "*the raising of the embargo,*" as *the most artful and important manœuvres ever practised by the English cabinet.*" We would only add on this point, that no man has yet had hardihood enough to pretend, that the *embargo* was detrimental to France, or would effect the repeal of the decrees, which it most effectually executed.

But how did it affect American commerce? At the moment of its adoption it appears from Mr. Gallatin's report that the prosperity of the country was unexampled; that our capital hadswollen to \$200,000,000 dollars, the revenue of 1807 to - - \$ 16,000,059 In spite of the enmity and oppression of government, commerce acquired activity from native health and vi-

gor, and increased even under *this* chilling and forbidding administration. At this moment we became a party to Bonaparte's annihilating system, and under the insidious pretence of securing our property from pillage, Mr. Jefferson aimed a deliberate blow at our whole foreign trade, to which we owe most of our national greatness, and much of our private happiness.

But intolerable as this policy was, which sacrificed us to the projects of Napoleon, it became doubly vexatious, when we considered the *inequality of its operation* on the several states. The commercial parts of the union became the immediate victims of this coincidence with Bonaparte in his commercial warfare against Great Britain.

To prove this inequality we will contrast the extent of the operation of the embargo on the states of Massachusetts and Virginia, as the view of their different interests at stake will give a clue to the views and principles by which the cabinet were influenced.

In 1807 Massachusetts exported	-	\$ 20,112,020
Virginia exported	- - - - -	\$ 4,761,234
Difference in favour of Massachusetts		\$ <u>15,350,786</u>
Tonnage of Massachusetts	- - - - -	450,000
Tonnage of Virginia	- - - - -	69,000
Difference in favour of Massachusetts	-	<u>381,000</u>
Freights on 450,000 tons per ann. at 24 dol-		
lars per ton	- - - - -	\$ 10,800,000
Freights on 69,000 ton	- - - - -	\$ 1,656,000
Difference in favour of Massachusetts		\$ <u>9,144,000</u>

Thus Massachusetts lost on *freights* alone a sum equal to twice the amount of the whole capital employed by Virginia in her foreign trade. Our navigation for the time was wholly sacrificed, but *her* capital remains safe.

The only answer ever given by the government in *official documents* to this statement was, that the French decrees and English orders left us *no safe com-*

merce ; and therefore there was no just grounds to complain of the restrictions imposed on trade by our own administration. If there was any truth in this answer, we would ask how do our merchants now carry on an extensive and lucrative commerce in spite of the decrees and edicts of the belligerents ? This fact exposes completely the incorrectness of this assertion of the government.

But a short statement founded on the reports of Mr. Gallatin will forever put this question at rest—it will shew, that we could have carried on with safety a larger trade than will remain to this country in the time of peace.

In the year 1803, our exports fell from \$95,000,000 in consequence of peace in Europe, to \$55,000,000

Making a difference in one year of - \$40,000,000

According to Mr. Gallatin's report in 1807, we exported of domestick produce \$48,699,000

The English orders left ports open which received of domestick produce - \$38,937,388

Of foreign produce - - - \$24,140,495

Making in the whole of produce exported 62,078,883

Thus, it appears that at the moment of the embargo a more extensive and lucrative commerce might have been pursued than will remain to us after peace. The excess of premiums of insurance would have been greatly over-balanced by the extra profits of trade, and we might have continued "in the full tide of successful experiment," from which we have been driven, only in effect, to give to England the monopoly of the trade of the world.

To escape the censure and indignation to which this simple statement exposed the administration, while England was assured by our double-faced cabinet, that the embargo was merely a precautionary measure, the American people were told it was the fair exercise of our "restrictive energies," and would compel Great Britain to abandon her orders in council. But this

promise that it would coerce England, was as fallacious as the declaration that it would not injure us was untrue. England was so far from sinking under the pressure of our commercial warfare, that from her own natural increase, and from the action of her immense capital, her resources have daily augmented. Her revenue has become equal to the innumerable claims that have been made on it. For two years she has carried on the most extensive military enterprizes, without increasing the publick debt. This has been diminished by the operation of the sinking fund, which now amounts to 180 millions sterling. The colonies of France are probably all in her hands, except the Isle of France. Her islands are now flourishing beyond example from the monopoly they enjoy, and from the operation of the laws of the mother country; while the provinces of Canada and Nova Scotia, that have heretofore been a charge upon her, have learned the value of their own productions, and will supplant us in markets, which were formerly supplied by us.

This deceptive system of domestick protection and foreign coercion, has proved *effectual* only at home and in the way it was intended. We have not credulity enough to believe, that Mr. Jefferson, after the experience of the revolutionary war dreamed of any other result. This compliance with the mandates of France, had another charm besides its designed hostility to England. *It was almost wholly at the expense of the eastern states*; and would have been persevered in to our ruin, if Mr. Jefferson's *congratulations* on our *loss of trade and navigation*, could have induced us "to abandon the ocean altogether, and never more to recur for articles of comfort and convenience to foreign nations." Its obvious injury to this country and its impotence as it respected England, authorize us to declare, that it was in the main a part of that unjustifiable system, which a jealousy of the commercial states has generated. It was intended to introduce a change in our national habits and pursuits, to drive us to occupations unsuited to

our dispositions, and to prepare us for that degradation which need never be dreaded, so long as we are permitted to pursue that commerce, for which the inhabitants of New England are peculiarly qualified by their enterprize, their energy and indefatigable industry.

Under this head may be cited, in proof of Mr. Jefferson's indifference or hostility to commerce, the substitution of that branch of the impost, denominated the *Mediterranean fund* for the internal taxes. Though this, with all other duties of import, is in fact finally paid by the consumer, and in that view, may be said to operate on all the citizens in proportion to their consumption to foreign articles, yet the whole is to be advanced by the importer, and it thus necessarily operates as a burthen upon commerce.

We say nothing here, of the fact that by this new measure, an annual tax of 1,500,000 dollars, the product of this new duty, has been levied upon the people in lieu of 750,000 dollars, the whole annual produce of the internal taxes, nor of the meanness which the government has exhibited in its engagement to discontinue this new burthen upon commerce within three months after a peace with the barbarity powers, and yet continuing it by renewed acts to this time, although a settled peace has for years existed between the United States and those powers.

PROOF 5.

HATRED AND CONTEMPT OF MERCHANTS AND OF THE MERCANTILE STATES, EXPRESSED IN CONGRESS BY FRIENDS OF THE ADMINISTRATION.

This indecorum is not noticed with a wish to excite animosity, but because it affords strong presumptive proof of the existence of the disposition and designs, we have imputed to the administration. It discovers to the people of New-England, that if their wealth and refinement have raised them above the contempt of Southern demagogues, it has been only to expose them to their envy—that jealousy finding nothing in our for-

tune to gratify its spleen has searched for something to condemn in our pursuits and national character.

Perhaps in charity we may and should in some degree overlook these sarcasms, as they come from men who always associate the idea of labour and slavery—who have heretofore regarded *merchants* rather as the factors and brokers of *planters* than their companions;—and who cannot entirely forget the humble drudgery of a trader in the view of his improvement—But when they pass from raillery to abuse and libel a whole community to sanction a violation of principle and an outrage on their rights, we have evidence of a temper, which has no respect for our characters, and probably as little regard to our feelings and interests.

With this sentiment we pass by the insolence of those, who replied officially to the petitioners of New-England for the repeal of the Embargo, that “they could find no necessity to change the policy of the country to permit the exportation of pork and potatoes.”—We make no remark on the delicacy, or sympathy of others, who in debate on our most important interest could propose “to turn the merchants and clerks with their powdered heads, and the seamen and fishermen of the middle and eastern states out of their compting-rooms and vessels, and set them to spinning cotton and hoeing tobacco.” While we pursue honest ends by honest means we shall not blush on reading the history of our pursuits, or even at a proposal to change them. But when Mr. Eppes probably in the language of Mr. Jefferson denounces the manly spirit excited in New-England by the Embargo “*as the true principle of Toryism emanating from British agents,*” when Mr. Nelson and Campbell propose bleeding, if we are not quieted by menaces, and when Mr. R. D. Williams declares “*that national honor is but a name an empty sound with us—that the love of country does not warm our bosoms—that liberty has no charm for us—that gold is the god we worship, and that we would wallow in the mire of debasement to extract one grain*

from its filthy sands." When we consider that all this virulence is a reply to the lawful expression of national sentiment, we cannot hope that there exists a stronger disposition to protect our rights than to relieve our distresses—Burke said he could not draw an indictment against a whole people—Our cabinet have found men who could, and the only question now with the government seems to be, if we shall be punished with *perpetual imprisonment*.

Such outrageous abuse coming from such a source leaves little room to hope that our wishes or interests have any weight in the decisions of the cabinet on our national policy. Commerce can have but feeble friends, where merchants are the subjects of derision and calumny.

REFLECTIONS ON THE THIRD GENERAL HEAD.

The facts which we have stated under this head, in connection with others, considered or referred to in a preceding part of this work must, if uncontrolled, afford conclusive evidence of a temper and designs, in the last and present federal administration, hostile to commerce, and growing out of their jealousy of the commercial states. Mr. Jefferson and his friends saw and felt that this conclusion would be drawn from a simple view of his projects and measures. Success in their plan required concealment of the end they had in view; and they very naturally had recourse to an affectation of extreme regard to commerce, in order to conceal their hatred of it. Hence arose that intemperate zeal in debate for the defence of what they called the rights of neutrality in the abstract, while their measures have exposed our existing commerce to every insult and outrage abroad, and prepared for its annihilation at home.

Their clamour at the commencement of the French revolutionary war broke out against the English colonial system. They contended that we had, on general

principles, an equal right to a free trade with colonies as the mother country ; though the policy of every nation in Europe, without exception, in time of peace, was directly opposed to these pretensions. They pointed out to us the conduct of France in opening her colonies, as an expression of the rule, and not the exception ; but omitted to state, that the true reason of the temporary suspension of her standing laws, was an inability to carry on her trade with them, owing to the power of the British navy. They railed at England as unjust, in insisting on her old title to privileges she was able to maintain, but passed over in silence the severity of the colonial system of Spain and Portugal, who secured their monopoly, by condemning smugglers to the mines.

After England had made a satisfactory arrangement on the subject of colonial trade by a treaty, the American people could discern no reason for the continuance of clamour. When she offered again to accede to terms on this subject, as favourable as our government required, and to secure us against the abuse of the claim of impressment, and these champions of neutral rights refused to our commerce the protection of a treaty beneficial to both nations, but preferred to expose it to all the embarrassments resulting from uncertain and unsteady constructions of the law of nations, their motives became at least questionable—When it was further considered that those who pretended to the most zeal to extend commerce had written books to prove that we ought to abandon the ocean—that those who were for maintaining the colonial trade without limitation at all hazards had denounced the carrying trade as a mere fungus, an unnatural shoot whose growth we were not bound to assist—that those who declaimed with most pathos on the impressment of seamen had refused to build a frigate to save them from Algerine slavery—when to all this was added a system, whose tendency was directly to destroy our intercourse with England and ul-

timately to drive us from the ocean which we would not voluntarily abandon, the projects of Mr. Jefferson, were no longer subjects of conjecture. They were clearly unveiled, and we hold it incredible that any man of candour and reflection can hesitate to admit the truth of our third charge, THAT HIS ADMINISTRATION WAS MARKED BY AN UNDEVIATING PURSUIT OF A SYSTEM OF MEASURES HOSTILE TO COMMERCE.—We may add, that the course of his successor, as far as it is understood, discovers a persevering adherence to the policy of his patron.

IV.

THE NATIONAL TREASURY EMPTIED.

Our fourth general charge against the administration is, that it has exhausted the treasury, and “beggared our exchequer.” The policy and conduct which has terminated in this unhappy result, we shall expose as far as we can trace it and from what we state, leave others to conjecture what is concealed.

The former prosperous situation of our revenue, when in the language of Mr. Jefferson we “were left free in a degree to regulate our own pursuit of industry and improvement,” the present deplorable state of the national treasury, and the serious want of means and supplies, with which we shall soon be distressed, are fully and fairly stated in the following extract from the “REPORT ON OUR FOREIGN RELATIONS,” made by a committee of the legislature at its present session and accepted by both houses.

“From the reports of the Secretary of the treasury it is apparent, that the net revenue of the United States during the year 1807, was - - \$16,000,059
That during the year 1808, under the
first operation of the Embargo, the
same revenue was only - - \$10,000,332

That during the year 1809, under the further operation of the same system, it was reduced to - - - \$6,500,000

So that the difference of the amount of revenue between the years 1807 and 1809 is **NINE MILLIONS AND AN HALF OF DOLLARS.**—It is also stated in the last report from that department, that the expenses of the government for the last year, exclusive of payments on account of the principal of the publick debt, have exceeded the actual receipts into the treasury nearly thirteen hundred thousand dollars, which deficiency has been paid out of the surplus of preceding years.

“ It is further stated, that the expense of government upon a *peace establishment* for the year 1811, will be about ten millions of dollars, and eight millions after that year; and that a loan of four millions has already become necessary. In the report of the same department for the year 1806, it was stated that after defraying all the expenses of government, an annual surplus of five and an half millions of dollars would remain. But according to the last statement there will be a deficiency for the present year of four millions, making against the United States an annual difference, as before, of nine millions and an half.”

Such is the state in which we are, and such is the melancholy prospect before us—Every one can decide, how completely they satisfy the publick expectations, raised by Mr. Jefferson and his partizans during their struggle for power.

No one can forget the incessant clamour of these friends of the people during the administrations of Washington and his immediate successor, against the extravagance of the government;—that the officers of state and their dependants were fattening on high salaries, and instead of working like the servants of the people would become their tyrants—that the patronage of the President was too extensive for freedom, and the appropriation for the civil list only a mode of making

the publick purse the means of private corruption. Promises of reformation were made as the counterpart of accusation. A change of men was to introduce a change of measures. Our publick officers were to become as simple and honest and poor as Phocion, who carried his heart in his hand and his wardrobe on his back. Economy was alone to work wonders. Taxes were to be reduced. Turnpikes, and canals, and colleges and manufacture were to be scattered over the country, and wealth was to pour in upon us every where, if not obstructed by "*too much regulation.*"

It is not a matter of surprize that the nation was deluded by this delightful representation, that the old tried servants of the publick were dismissed, and that we should in vain hope of better times, trust the publick chest to men, who in their own language "had burst open the doors of publick confidence."

Mr. Jefferson on his elevation to power did not forget that the promises and professions which were necessary to acquire office, must be repeated to retain it—Accordingly in his inaugural address he promises that he will observe "economy in the publick expenses, that he should not take from the mouth of labour the bread it has earned." In his first message he again assures us of his intention to make "a salutary reduction in our habitual expences," and informs us "of his suppression of unnecessary offices and agencies," and a consequent diminition of the publick expense. And in proof of his sincerity he proposed a repeal of taxes at the very moment he informed the nation, that the revenue would be considerably lessened by the effect of peace in Europe on our trade, and that our expenses were to be encreaed by a war with Tripoli.

Mr. Jefferson throughout his administration adhered to that sort of language, by which he had inspired men with the vain hopes of preserving our credit without revenue, and raising supplies without resources. He well knew that the cabinet whose passions or blunders had exhausted the surplus fund, and daily income of the

country for ordinary purposes, and at the moment of greatest danger left it destitute of the means of defence could not survive detection. Hence, in his annual reports Mr. Gallatin always reminds us of the amount of debts we have paid and also the surplus revenue in the treasury—Hence Mr. Jefferson in his last message gravely requested Congress “*to make some provision for the application of the surpluses of our revenue in the improvement of roads, canals, rivers and education*” !!! at this moment he was conscious that under his administration the treasury had been so far exhausted, that in time of peace we should be obliged to borrow money to pay the civil list—But to avert or delay disgrace he still persevered in his attempt to perpetuate our dangerous delusion. Instead of urging Congress to repair the waste of our finances he affected to be embarrassed with “*accumulated treasures, which he might be tempted to abuse ;*” and was gross enough to tax the ingenuity of Statesmen not to raise supplies which were wanted, but to spend money which we *had not*. Mr. Randolph, once the friend and champion, now the decided opponent of Mr. Jefferson, though still not a federalist, indignantly observes on this duplicity, that “*this man died politically with a lie in his mouth.*” Those may censure this severity who can disprove the charge.

We proceed to state briefly, the measures and policy by which our treasury has been emptied—measures in direct contradiction to the promises of their authors and a policy entirely subversive of our best interests.

1st.—EXTRAVAGANCE IN THE CIVIL LIST.

From men who had made such strong promises of economy, we had a right to expect its observance in every department of government. And as Mr. Jefferson’s first care was to dismiss, as unnecessary, some of the agents of the old officers, and to discontinue offices for which his predecessors had found employment, it

* See Mr. J.’s first Message.

was certain that the appropriation for the civil list was to be reduced—Above all as the salaries of the officers of state had been represented as exorbitant and oppressive, we had a right to expect that the wages of the publick servants would be diminished in the same proportion, that their *public spirit exceeded* that of their predecessors.

But the fact is that neither their promises nor our expectations have been fulfilled. On the contrary the administration, that threatened to be contemptible for its parsimony, has according to its own scale rendered itself remarkable for its extravagance.

During the administration of Washington and Adams, the annual appropriation for the civil list, according to an average of eight years, amounts to \$497,250

During eight years of the administration of	
Jefferson and Madison, annually	- \$1,003,000
Difference in favour of the former, annually	<u>\$505,750</u>

Not a single specifick appropriation for the support of the publick department is as low at the present as during the period of "federal domination." The prospect before us grows still more alarming as Mr. Gallatin in the very report in which he displays the poverty and beggary of the treasury computes the expenses of the civil list for the next year at \$ 1,500,000 being one million more than the average amount of the appropriation during the federal administration.

One of the earliest acts of the economists shewed that they considered the true end of all political contests was the possession of the publick chest. Instead of proving their disinterested zeal for publick service, and in contempt of all their promises, they voted themselves the same salaries which cost their predecessors their places. Mr. Gallatin, for making reports, which Mr. Giles says, seem to be the performance merely of his clerk, and for the discharge of duties, which required nothing but an accurate knowledge of the common rules of arithmetick, receives five thousand dollars annually, while Hamilton received but thirty-five hundred

dollars for the giving a form and spring to a system, which at once imparted strength, and infused spirit and hope into our country, and if undisturbed, would of itself render us always great and happy.

In another striking instance "these exclusive friends of the people" shew what different meaning they assign to the word *ECONOMY*, when enjoined on others, and promised by themselves. There was no subject on which more popular rant was wasted than the appointment of ministers and agents at foreign courts. Besides their objections which we have before stated,* these plain republicans, in accordance with the doctrines of equality, very gravely represented the establishment as *anti-republican*; that the fashion of courts not only required extravagant salaries to support our ministers in a style suitable to their rank, but inspired them with the pride of aristocracy, and returned them to their country with habits and impressions hostile to the simplicity of republicanism. In proof of the sincerity of their opposition, they even voted against appropriations for the support of foreign ministers abroad on public services. But here the evidence ends.

During the administration of Washington the appropriation for defraying the expense of foreign intercourse amounted annually to \$40,000. The extraordinary expense incurred in sending out Mr. Munroe in the room of Mr. Morris, whose recall the revolutionary butchers of France requested, and also in the mission of Mr. Jay to England was specially provided for. In the administration of Mr. Adams, the peculiar situation of the country, and a sum, probably not less than one hundred and twenty thousand dollars expended in our missions to France, which these men compelled him disgracefully to repeat, considerably augmented the expenses of our foreign intercourse.

But Mr. Jefferson, who in his letter to a citizen of Berkly, expresses his dread of the patronage of the executive, because "it enlisted on his side all those whom

* See page 18th.

he could interest and doomed the labouring citizens to toil and sweat for useless pageantry," has expended more money in foreign intercourse than either of his predecessors. The men who were so anxious to save Washington from any temptation to corruption by limiting his patronage, and who allowed him but \$40,000 for the support of foreign intercourse with all the mercantile nations of Europe, require for themselves double the amount to pay their publick and private agents, to trundle to Bonaparte and beard old England. Mr. Short's unauthorized expedition to Erfurth probably cost us 18,000 dollars. In the year 1804, the

sum appropriated was	- - - - -	\$108,050
In 1810, the demand is for	- - - - -	99,500

which with the acknowledged balance of former appropriations, will (as has been alledged on the floor of Congress) place sixty or seventy thousand dollars more at the disposal of the executive for this object, than have ever before been granted.

We leave others to make suitable reflections on these facts. Our censure, our distrust might be attributed more to the prejudice of party, than to a rational belief that those who used a thousand arts to gain the publick chest have found as many favourites to feed on it. We would, however, state a single fact, which we learn from a comparison of the appropriations of the civil list since the establishment of the government, that, if Mr. Jefferson had been only as economical as his predecessors and limited his annual expenditures to the sum prescribed to them, he would have left us a surplus revenue of FOUR MILLIONS, which we are now compelled to borrow for the support of government.

While upon this subject, we will again remind our readers of the case of the BERCEAU, and the shameful report of the Attorney-General in favour of Beaumarhais' claim,* which we have before considered. When an administration is so ready to listen to the demands of a foreign nation, will it be deaf to the loud calls of its dependants at home?—This leads us to consider,

2.—THE MONEY SQUANDERED BY PUBLICK OFFICERS OF THE
PRESENT ADMINISTRATION.

Mr. Jefferson on entering into office, found it very convenient to identify the publick interest with the removal of his opponents from places of trust and profit, and the transfer of their offices to his adherents. The kind tone in which we were told, "that we were all federalists, all republicans," was soon followed by a grating complaint, that he could not find vacant offices for his partizans—that none of the federal incumbents would *resign*, and that few would *die*. As we have before observed, Mr. Jefferson had not principles or feelings to resist the cravings of his minions, or the demands of party—and when offices were to be the rewards solely of political fidelity, it is no wonder that candidates were not required to be "capable or honest." When corruption is the price of place, it is a gross absurdity to require integrity in the discharge of its duties.

In considering this subject it affords no triumph to our feelings, but a miserable presage of our fortunes, that among the heads of a party, who seem destined to govern our country, we should find so many instances, of the application of *publick* money to *private* use—A Secretary of State, an Attorney-General, a Collector of our first seaport, and a Clerk of the House of Representatives, are on the list of defaulters—The number of petty peculators is also an evidence of general corruption in the servants of the government—The history of their *pillage* fills a volume—We have almost learned to disregard it, because it is so common; and we talk of Brown, the collector of New-Orleans, who has absconded with at least \$100,000; and Clark, the collector of Wells, who has pocketed above \$30,000, only because they are the *last* instances that have occurred, and not because they are the most atrocious. In a report of Mr. Duval, the comptroller of the treasury, we find Mr. Jefferson's officers delinquent to the amount of *half a million* although the defalcations by the last three years are yet concealed from the publick eye.

A late publication ascribed to a person in the confidence of the administration, is calculated to excite more serious alarms. If it does not charge Mr. Gallatin with corruption, it at least insinuates that it may be proved against him. This writer observes—"The sudden growth of his (Mr. Gallatin's) private fortune is unfavourable to the supposition that he is the most disinterested of ministers. When a Secretary of the Treasury, from a yearly salary of four or five thousand, amasses in the short compass of eight years, the enormous fortune of *two hundred thousand dollars*, we are authorised to inquire *how* he has effected it? If this were a government of England, and Mr. Gallatin a Lord Melville, there would be no difficulty in accounting for the circumstance; but it would be too hasty a determination to decide without further investigation, that Mr. Gallatin had made use of the opportunities, which his station affords, to speculate in the funds for his individual benefit; or, that he availed himself of the same opportunities, to become the proprietor of lands, which have been sacrificed by the artful representations of the man who purchased from the publick."—"There are curious rumours abroad, that the Secretary of the Treasury means to resign the post he occupies. Depend upon it that he never will leave the cabinet, whilst there is the charter of a national bank to be sold."

Mr. Gardinier has made a motion for an *inquiry* into the management and state of the treasury, which was negatived by a great majority. The federalists have different notions of honour. In answer to the first malicious insinuation of Mr. Giles and Mr. Venable, Mr. Hamilton demanded of Congress an official investigation of his management of the treasury; and the men who impeached his integrity, reported after a most strict scrutiny of his official conduct, that they were "satisfied that no monies of the United States, whether before or after they have passed to the credit of the Treasurer, have ever been directly or indirectly used

for, or applied to any purposes, but those of the government." Let us now examine

GENERAL WILKINSON'S ACCOUNT, *as allowed and sanctioned by the President.*

It is in vain, after reading this document, to attempt to calculate how much money has been lavished on the favourites of the administration, as we are not permitted to pry into the files, which contain the vouchers.

We have before stated that the sum of \$56,000 was bestowed on Gen. Wilkinson, as the price of his agency in the attacks on the constitution of our country and the liberties of our citizens. This money has been worse than squandered. Deduct the amount of his pay from the gross sum he has received, and we find a balance of \$40,000 left in his hands, as the reward of illegal violence and military proscriptions.

The account of Gen. Wilkinson could have been allowed by Mr. Jefferson only from the fear of his disclosing conduct more profligate than his own. The impudent items of this account are the evidence of the most abominable prodigality, and its allowance a daring violation of the laws which limited his pay for the same time at \$16,500.

By the aid of his attorney-general, C. Rodney, Mr. Jefferson found the means to evade the statute, by assigning to his favourite variety of offices, civil as well as military. Of the sum of \$56,000, Gen. W. was allowed \$6,619 for the expenses of his table from December 1803, to April 1804—Such profusion has hardly any parallel in history—and this money was paid by order of the same Mr. Jefferson, who caused courts to be abolished, to save the salary of the Judges, and refused even a pittance to ransom our citizens from foreign dungeons.

From the dilapidations of the treasury which have come to light, even while it is under the control of those who endeavour to conceal them, we may judge what scenes will be displayed, to the successors of the present administration.

3.—MONEY WASTED IN ABSURD ARMAMENTS.

It will, perhaps, appear singular, that those who have censured the government for leaving the country wholly destitute of defence, should charge them with waste of money in publick armaments. But the mere appropriation and application of money to defence, does not entitle an administration to any credit, if the country is still left unprotected.

What then has our government done for the protection of our country?

1st. As to *Fortifications*. About one million two hundred thousand dollars have been appropriated for the defence of our sea coast from Maine to Georgia. We have no means of ascertaining precisely what degree of security has been afforded us by the expediture of this sum. We do know, however, that our sea coast is yet in a very defenceless state, and from what we have seen of folly and ignorance, not to say want of principle, exhibited in many of the youthful agents, we may be excused for presuming that a considerable part of the money has been wasted.

2. *The army*.—We have before observed on the military establishment of this administration to shew the insincerity of their clamour against the petty force raised by the federalists which by way of opprobrium the opposition denominated “the *standing army*.”

They have indeed in a wise contempt of their own maxims kept up a force sufficient to preserve the appearance of an army, and formerly strong enough to enforce their arbitrary mandates, where they were not assured of the volunteer services of their sanguinary partizans.

This army has not merely been disgraced by the character of its commander, but was unfortunately confided to his discretionary orders. From his treachery or negligence their encampment was madly chosen in fens and marshes, and the consequence has been a greater mortality than any body of troops ever expe-

rienced in the most active campaign.* We may therefore justly condemn the administration for a *greater offence* than the waste of publick money. But still amidst this melancholly scene of desolation it is not to be forgotten that in the course of two years, more than FOUR MILLIONS of money have been applied to the military establishment, and that the only force on which we relied for the submission of a province, ripe for rebellion, has been almost annihilated

3d. *Naval equipments.*—We have before stated explicitly our opinion of Mr. Jefferson's decided hostility to a navy, and offered for the consideration of others the early opposition of his party to every kind of marine armament. But when these men acquired power they felt that good faith required, that some defence should in *appearance* be prepared for commerce, whose protection was with the Eastern States the primary and ultimate object of union. To afford however any *effectual* aid was inconsistent with their policy and jealousy—Hence we were prepared to see appropriations large enough to stifle our complaints, but applied in such a manner as to mock our expectation. The progress of things has fully justified our fears.—Mr. Jefferson in his *first* mesage informed us “that materials were providing for seventy-four gun ships.” These were most shamefully wasted—In his *last* message, he informs us that according to law he had built and equipped one hundred and three gunboats !!!

OF THE EXPENCES OF GUNBOATS.—Perhaps a more cruel mockery than the equipment of a squadron of gunboats never was practised on a nation with an extensive sea coast, and an enterprising and rich commerce. It is an admission of the necessity of defence, and at the same time a most tantalizing denial of it. But this is not the worst of this policy. The extravagance of this pitiful system of a weak executive is unequalled. No measure of his administration bad as it was combines more ignorance or imbecillity.

*See notes at the end of the work.

A gentleman well acquainted with the naval armaments of Europe has made a comparison between the service and expence of our fleet of gunboats and an English fleet. It is worthy the consideration of those who confided the protection of every thing dear to us to men of the theoretick character of Mr. Jefferson.

Two hundred gunboats carry	- - -	200 guns.
Require men and petty officers	9394	
Commission officers	606	
And in conformity to the original plan	10,000 men.	
Fifteen English 80 gun ships carry	1200 guns	
Require seamen and petty officers	9932	
Commission officers	78	10,010 men

It appears then that the English nation keeps 1200 guns afloat in the strongest ships, which naval armaments admit of at the same expence of money and labor, that we keep two hundred guns mounted on patent carriages in mere fresh water pinnaces, of such construction that an eighty gun ship in a breeze would run down the whole flotilla with the greatest ease.

But in estimating the folly and extravagance of this armament, we may rely on higher authority. As Mr. Madison could spare no cash from our beggared exchequer on these contemptible fooleries, by which his predecessor had exhausted the treasury, Mr. Hamilton the secretary of the navy was directed to make a full exposition of the absurdity of this ridiculous system of defence.

Mr. Hamilton in his report dated June 9, 1809 states, that the frigate President of 56 guns	
cost	\$ 221,000
56 gunboats mounting 56 guns might	
be built for	\$ 496,000
Annual expence of a frigate of 56 guns	\$120,000
Annual expence of 56 gunboats with	
56 guns	\$ 655,200
Making a balance in favour of the frigate	
and against the gunboats	\$ 535,200

A gun in a frigate costs annually	-	\$ 2,142
A gun in a gunboat costs	- - - -	\$ 11,700
The complement of men of a frigate of		
56 guns	- - - - -	420 men
Complement of 56 gunboats	- - - -	2520 men
2530 men in frigates can fight	- - -	336 guns

It is impossible by any language or illustration to make the extravagance of the gunboat system more palpable, except by adding in the words of Mr. Jefferson's message—*“that this species of naval armament can have little effect towards protecting our commerce in the open seas, even upon our own coasts.”*

The plan of a Dry Dock was as extravagant as the gun-boats are ridiculous. It is mentioned here merely as another proof of the disposition of Mr. Jefferson to squander the sums intended to secure a naval defence & to satisfy the people, that no economy was enjoined in the expenditure of publick money, however opposed the administration might be to its appropriation.

We might add here a variety of instances of actual and contemplated expense, wholly inconsistent with sound economy. We might display in detail the partial policy betrayed in the appropriation of public money. We might contrast the extravagance of government on our southern frontier, with its parsimony on the sea-coast. We might, in fine, multiply proofs, not merely of waste of revenue, but of a sacrifice of resources, as the sale of bank-stock, western lands, &c. But this is unnecessary. Those who have read our statement of the circumstances and expenses attending the Louisiana purchase, and will examine the evidence of a ruinous misapplication, if not corrupt profusion of public money, which we have offered under this head, cannot have confidence in the discretion or integrity of the administration.

4. THE ANNIHILATION OF REVENUE BY THE DESTRUCTION OF COMMERCE.

While waste and prodigality in every department took all the public money out of the treasury, the em-

bargo most seriously diminished its receipts. If we did not succeed in this kind of warfare, ruin was the certain result. Mr. Jefferson saw this; but as his only resource was the *confidence* of his partizans in his scheme, he afforded them the strongest proof of his *own*, by a profuse use of the public money. His failure has fulfilled our predictions, and while we feel its consequence in the beggary of the treasury, it is well to consider the extent of our loss, arising from his folly or intrigues.

From inspection of Mr. Gallatin's report it appears that in 1803, when our commerce was reduced to 55 millions of dollars, that our revenue amounted to the sum of 10,479,417 dollars. According to another report of Mr. Gallatin, in 1807, notwithstanding the British orders in council, we might have exported to free ports, foreign and domestic goods, to the amount of 69,077,878 dollars, and from the proceeds have collected an impost, probably to the amount of 12,000,000 dollars. Our exports to England alone in 1807 amounted to more than our exports to all the world in 1803, and would have yielded to an economical administration, a revenue sufficient for the support of government. From these calculations it is evident, that we have sacrificed above 16 millions on the maintenance of a disastrous policy, which annihilated a commerce, from which we should have derived a revenue equal to this amount.

But unfortunately, the embargo not only prevented any income, but required expense for its maintenance. Its oppressive provisions naturally excited resistance, and the gun-boats, which no one thought capable of affording protection, weré called into action to enforce submission. To the cost of military exertion was added the drain of legal processes. Thousands of prosecutions have vexed our citizens, and courts and juries have discovered so little inclination to second the requisitions of the executive, that while probably some hundred thousand dollars have been expended, scarcely a penalty has been recovered. Thus

this monstrous system of policy, which began with extinguishing our revenue, has ended with exhausting our treasury.

In concluding our remarks on this last charge against government, *of having emptied our national treasury by their negligence, extravagance, and intrigue*, we earnestly call upon all to give this important subject its due consideration.

We all recollect that Mr. Jefferson assumed the direction of our national affairs, when he acknowledged us to be “in the full tide of successful experiment;” and that while he *permitted the unaided* operation of the system of his predecessors, our commerce flourished with its usual unexampled success, and yielded a revenue, which not only discharged our current expenses, but left us annually a surplus of millions to meet any emergency.

Let us suppose that Mr. Jefferson, instead of using commerce as an engine of war and intrigue, had consulted its interests in honest negotiation with England, and manly resentment against the insults and outrages of France;—that instead of annihilating trade and repressing enterprize, under the pretence “of exercising our restrictive energies, he had left us free to regulate our own pursuit of interest and improvement?”—that instead of wasting millions in the purchase, survey, and defence of a wilderness, in absurd armaments, and on corrupt and peculating agents in every department of government, our national revenue had been honestly applied to the building of an efficient navy, and erecting fortifications equal to our protection and due to the importance of our seaports; what a contrast should we have presented to our present state of disgrace and beggary!—In the language of Mr. Jefferson, we should then have exhibited to the world, “a rising nation, spread over a wide and fruitful land, traversing all the seas with the productions of its industry, engaged in commerce with nations, who,” conscious of its “power,” would regard its “rights, and advancing

rapidly to destinies beyond the reach of mortal eye"—but most unfortunately the protection of "the honour, the happiness, the hopes of our beloved country," was committed to the counsels of a man, who "shrunk from the contemplation," and has approved himself wholly inadequate "to the magnitude of the undertaking."*

V.

*VIOLATION AND CONTEMPT OF THE
CONSTITUTION OF THE U. STATES.*

When a people have deliberately adopted a constitution, and sworn to support it, innovation and contempt of it, invite cabal, fraud, and force, and portend a change of government.

This charge will be supported by a selection of facts, which can be most clearly proved; and by inferences from them, which ought to satisfy every man who is suitably jealous of those in power.

PROOF 1.

CREATING VACANCIES, AND FILLING THEM UP IN THE RECESS
OF THE SENATE.

By the constitution of the U. States it is provided, that the President should have power to fill all *vacancies* which might *happen* during the recess of the senate. It was never deemed possible that a President could construe this to mean, that he could *create* the *vacancy* and then fill it. For such a construction would completely defeat the *negative* of the senate. That such was the interpretation of all parties at the time, we prove by reference to the opinions of several Virginians.—“How, says one of them, are vacancies to happen? Is it not by death or resignation? Does the constitution contemplate any other cause of vacancy? Can the President create the vacancy by removal? Are the words *create*

* Mr. J.'s Inaugural Speech.

and *happen* synonymous?" Mr. Jackson, of Virginia, in a speech upon the bill, giving the President power of removal, says, "I shall agree that the President has the power of *removal* but *nothing more*. Upon this principle I would give him the power of *suspension* during the recess of the senate. This would not expose the government to the abuses which we have to dread, from the wanton and uncontrolled removal of officers at pleasure." Mr. Madison too, in his speech in Congress, in 1789, says, "What motive can a President have for displacing a worthy man? It must be in order to fill his place with an *unworthy creature of his own*. CAN he accomplish this end? *No—he can place* no man in the vacancy whom the *senate* shall not approve; and if he cannot fill the vacancy with the man he might chuse, he would have little inducement to make the *removal*."

Such were the cotemporaneous expositions of high authority, as to this clause of the constitution, and which shew that the President could not *create* a vacancy and fill it without the consent of the senate. Such was the understanding and practice of both the federal administrations.

But from the moment of the accession of the present party to power, they have proceeded in innumerable instances to *create* vacancies by removals, and to fill them during the recess of the senate.

PROOF 2.

CHANGE OF THE CONSTITUTION TO SECURE MR. JEFFERSON'S ELECTION.

The only provision in the constitution which its enemies approved, the only one which they did not object to, was that by which the choice of the President was regulated. Some of the very men who are now in power, and who were at the time of the adoption of the constitution called antifederalists, admitted that they had no amendment to propose on this subject. And yet this class of men, within the fourth presidential

term, to secure the election of Mr. Jefferson, destroyed that provision. When the struggle occurred in the house of representatives between Jefferson and Burr, and which ended in the election of Jefferson, it was resolved that he should never be again in like jeopardy. It is well known, that many persons who adhered to him, were appointed to offices of honour and profit as soon as he came into power, and among the rest, the weak and contemptible governor Claiborne. It was determined that the candidates should be designated for the respective offices. By this democrattick measure one of the greatest securities against popular turbulence was taken away, and the constitution so *amended*, as that its most excellent feature was struck out; the foresight and wisdom of Washington and his fellow patriots defeated; a high way opened to intrigues and cabal; and the duration of the constitution rendered extremely precarious.

PROOF 3.

DESTRUCTION OF THE JUDICIARY.

The last federal administration perceiving that the government was about to fall into the hands of men who had not manifested a disposition to respect the constitution, or enact laws in conformity to it, established as their last and best effort for the welfare of their country a judiciary system, which received the hearty approbation of every good and honest man. It was hoped that a barrier was thus erected against the encroachments which would be attempted.

The judges who were nominated, appointed, commissioned, sworn, and, who were in the actual enjoyment of their offices, were men eminently qualified for the offices to which they were appointed. To secure the independence and stability of the judiciary, the constitution provides, that "judges shall hold their offices during good behaviour;" and, that "their compensation shall not be diminished during their continuance in office." These judges had been legally and constitu-

tionally created; and they relied on these provisions; they left other pursuits in life, and relinquished all other connection with the publick. Yet these democrattick reformers, could see nothing in the constitution which forbade the destruction of this system. It was enough for them that it was the work of federalists. They repealed the law establishing that system. The commissions of the judges they could not take away, but they did annihilate the courts, and transfer its jurisdiction to other tribunals. There can be no difference between destroying the courts in which judges duly commissioned officiate, and taking from them their commissions and compensation. This measure was a direct violation of the constitution.

PROOF 4.

ATTACK ON THE JUDGES OF THE SUPREME COURT OF THE UNITED STATES.

This revengeful, rancourous spirit of democracy was not satisfied by this sacrifice. The judges of the supreme court were assailed; and it was fondly hoped that impeachments might remove the men who would resist the execution of laws made in hostility to the constitution. Jefferson and his fellows hoped to place on the bench, men who would consider the judicial department subservient to the legislative. If this could have been effected, there would have been nothing to choose between the national convention of France and the government of the United States. Judge Chase, a patriot of the revolution, a man of long tried honesty and ability, was first attacked. He was impeached before the senate, for malconduct in the trial of Fries, for treason; and in the trial of the infamous Callender, for a misdemeanour. This Fries every body knows, was clearly proved and found to be guilty on the law and the evidence. He was pardoned by President Adams; an act which astonished his political friends. Judge Chase was most honourably acquitted by the senate, who had every disposition to have sacrificed him. The second

ground of impeachment was equally unsuccessful. The prosecutors could not arrive at the long desired pleasure of sacrificing a judge, and a revolutionary patriot, a federalist, for having ordered James Thompson Callender to be fined and imprisoned according to law.— Why should they desire this? Because Callender was the friend of Jefferson; and had greatly contributed to destroy faith in federalists, and to acquire it for democrats. If this attempt had succeeded no difficulty would have been found in removing the other judges. This effort cost judge Chase a sum equal to a year's salary; and the United States, probably 20,000 dolls.

To this prominent instance of hostility to the judiciary may be added the extraordinary report drawn up by Mr. J. Q. Adams (then senator, and now employed on a mysterious mission to Napoleon's Russian court) in the case of John Smith, also a member of the senate, in which he endeavours to bring the supreme court of the United States into contempt, and to diminish the respect for that admirable system of jurisprudence adapted for the protection of innocence and the safety of the rights of the people.

PROOF 5.

VIOLATION OF THE RIGHT TO THE WRIT OF HABEAS CORPUS IN FACT, AND AN ATTEMPT TO OBTAIN THE SUSPENSION OF IT BY LAW.

Mr. Jefferson (with as little ceremony as Bonaparte would use) by the assistance of Gen. Wilkinson, seized and transported from New-Orleans to Washington the persons of Swartout and Bollman, Gen. Adair, and many others, and directed they should not have the privilege of the writ of habeas corpus. They were sent to Washington as refractory conscripts are sent to the French army.

At the same period Mr. Jefferson sent a message to Congress, recommending the suspension of the above-mentioned privilege.—Mr. Giles, Mr. Smith, and Mr. J. Q. Adams, were appointed a committee. The same

day on which they were appointed, they reported a bill in conformity to the President's message. The Senate, dispensing with its rules and orders, passed the bill at a single sitting, and sent it down to the House of Representatives, where it was indignantly, and by a large majority, refused a second reading. The amount of this bill was, that when any man was charged with certain offences against the United States, and should thereupon be arrested, by the warrant of the President, or any person acting under him, the person charged with the crime and arrested, should not have the privilege of the writ of habeas corpus, within three months from the passing of that act. The King of England has not such authority as was intended by this act to have been vested in Mr. Jefferson. Nor would the King of England dare to ask for such authority. If this bill had become a law Mr. Jefferson might have had any man charged with such offence as the bill contemplated, and might without trial, at his own will and pleasure, have imprisoned the accused, or sent him by military force to any part of the United States.

During these three months he would have been as despotic as Bonaparte; and if the people had endured this, no doubt he had other designs, equally hostile and far more permanent against the liberty of the citizens.

PROOF 6.

CREATING OFFICES TO FILL THEM.

There are several instances of this nature of minor importance, the most prominent is the case of Mr. Short, which being noticed elsewhere in this work will not be dwelt upon here. But of whatever importance any appointment may have been, it was equally a contempt of the principles of the constitution to create an office merely for the purpose of filling it with some devoted partizan. The power of the President to appoint without the concurrence of the Senate, is limited to the

single case of *vacancies* which may happen during the recess. The idea of a vacancy necessarily implies an existing office and a previous incumbent.

Surely there cannot be said to be a *vacancy* when the office had never existed.

So the Senate, though devoted to Jefferson, understood it, and unanimously rejected his nomination of Mr. Short, whose office had been created as well as filled by this encroacher upon our constitution, Mr. Jefferson.

PROOF 7.

THE ERBARGO AND ENFORCING ACT OF JAN. 9, 1809, WERE DIRECT VIOLATIONS OF THE CONSTITUTION, AND OF THE RIGHTS AND LIBERTY OF THE CITIZEN.

There is nothing in the constitution by which it is pretended to justify the embargo, but this one expression, "Congress shall have power to *regulate* commerce." The president and his congress construed this expression into a right to annihilate commerce, by imposing a perpetual or indefinite embargo. They extended this right not only to ships and cargoes, but to goods, wares, and merchandize of domestic growth and manufacture, *upon the land*, and even to money in citizens houses. Among the provisions of the "*enforcing act*," were the following :

The whole trade and commercial intercourse between the several states in the union, were subjected to the arbitrary will and pleasure of Mr. Jefferson. And his creatures, collectors, and revenue officers, might construe the laws, just as their malice, ignorance, or subserviency to the president might dictate. Innocent persons were rendered liable to penalties ; guilt and innocence were confounded, and subjected to one common punishment. Right of trial by jury was taken away by referring questions of great importance to the decision of Jefferson, or his secretary of the treasury. The president's rules and regulations were to have the force of law. Even the act of God was not admitted of an excuse for non-compliance with the provisions as

this law. Collectors were authorized to seize and take possession, without warrant, without evidence, and at their own discretion, American produce, and specie, whenever in their opinion, there existed an intention to violate the embargo. An officer might enter a man's house, just when he pleased, to search for these articles; and if he found there money or goods, he might seize them without condescending to give a reason for so doing; and having taken them into his custody, he must guard them by removing them from the owner's possession, or by sending a sufficient force into his house to guard them. The President, his collectors, revenue officers, and minions, might employ the land or naval force, and even the militia of the U. States to carry these abominable provisions into effect.

Where do we see a more complete system of arbitrary power and military despotism, than was here created by the forms of law? Napoleon has not more power than Jefferson meant to have had. The only difference between them is, that Jefferson has not the military machinery of his friend the emperor; nor the courage to use it, if he had.

It is needless to add, that every one of these provisions are directly against the letter, as well as the spirit of the constitution.

PROOF 8.

REMISSION OF CALLENDER'S FINE.

This Callender wrote a book, called "the prospect before us," which is a series of malicious and profligate calumnies and libels on our patriots and their measures. In this book he charges Washington with "a neat and pure violation of his oath, to preserve the constitution." And with having committed "an act of audacious usurpation and despotism, in making his proclamation of neutrality." Jefferson saw some of the proof sheets of this book before it went forth to the world. He expressed his approbation, and sent Callender fifty dollars. We have seen the letters in Jefferson's own hand writing, on which these assertions are founded.

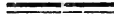
Callender was indicted, tried, and found guilty, and sentenced to nine months imprisonment, and to pay a fine of two hundred dollars. This took place at Richmond, in the summer of 1800. His term of imprisonment expired on the 4th March, 1801, the day when Jefferson took his oaths as president. Callender had paid his fine long before. On the 16th March, Jefferson sent him a pardon, and remitted his fine of two hundred dollars. His honor Levi Lincoln was then Attorney General. Mr. Randolph, marshal of the district, declined paying the money, because he was advised that it belonged to the United States. Mr. Lincoln informed him by letter, that "as the money had not actually been paid into the treasury of the United States, it had not become the property of the United States," and ordered him to repay it to Callender, which with great reluctance he did. This was a manifest breach of law; for the money once paid into the hands of the marshal, and the prisoner having been discharged by the marshal of the *fine*, the property was *changed*. It was the money of the United States, of which Mr. Jefferson had no more authority to dispose, than of the money in the hands of a *collector* who had received it for duties. This power was exerted in favor of a foreigner, a fugitive from Europe; one of the most abandoned and infamous of men. Callender afterwards became the enemy of Jefferson, and disclosed his secrets. He was in part punished for his abominations in this world, and ended his career by being drowned at Richmond.

PROOF 9.

STOPPING THE PROSECUTION AGAINST DUANE.

Wm. Duane, an Irishman, who is by Jefferson's appointment a col. in the U. S. army, editor of the *Aurora*, now devoted to the interests of Napoleon, published a most flagitious and daring libel against the senate of the United States, while Jefferson was president of that body. A prosecution was ordered and commenced, and was pending when Jefferson became pre-

sident of the United States. An American will almost doubt the evidence of his senses, when he is assured, that Jefferson usurped the power of ordering. that the prosecution against this detestable Jacobin should be stopped. It has always been doubted whether the power of pardon authorized it.



VI.

INTOLERANCE IN THE REIGNING PARTY.

1st. PROOF

DISMISSALS FROM OFFICE BY PRESIDENT JEFFERSON.

Mr. Jefferson began his presidential career with the most unequivocal assurances of faithful performance of duties and the most liberal toleration of political sentiments. It soon appeared that he had given assurances which he intended should not be realized; The federalists do not covet power, they only ask to be well and constitutionally governed. They gave Mr Jefferson credit in advance when his inaugural speech was published. They would have supported him if his conduct had conformed to his professions. Mr. Madison's first official communication was well received by the federalists.—Some of them were disposed to give their approbation most openly; but others thought they knew the *breed*, and that it would be safest to be quiet until they had "*summered him and wintered him.*"

While Mr. Adams was President he displaced two or three men. This was complained of with great bitterness. In the course of Mr. Jefferson's administration almost every man, so far our information extends, was turned out of office, who had committed the sin of being Washington's disciple or friend. One exception only occurs to us, and that is the case of the venerable General Lincoln, whom even Thomas Jeffer-

son did not dare to displace. He eventually left the office of collector, because neither he, nor those whom he had associated with himself in his office, could reconcile it to conscience and honour to carry the nefarious edicts of Jefferson into effect. Before Mr. Jefferson had been president a twelvemonth the Honourable Mr. Bayard then member of the House of Representatives in Congress, and now Senator from the State of Delaware, thus expressed himself in debate. "In the track of the present executive we see the real victims of stern, uncharitable, unrelenting power. It is here we see the soldier who fought the battles of the revolution, to establish the independence of his country, deprived of the reward for his services, and left to pine in penury and wretchedness. No merit, no services, no truth, no innocence can save the unhappy sectary, who does not believe in the creed of those in power."

When devotion to a political faction becomes the first recommendation to office, bankrupts in fortune and fame are the men who are employed. The example which Jefferson gave to his adherents has been faithfully followed by all his creatures in office.

The post offices—The revenue department—The law officers—every where verify the assertions of Mr. Bayard. The natural consequences of appointments made from such motives are severely felt.—Who but Thomas Jefferson would have appointed William Duane a colonel in the American army?—We sympathize with the worthy Americans of that department who are compelled to wear the same uniform with that abandoned foreigner; and especially those who by military rules may be obliged to obey him as a superior. We have neither time nor room to name or number here, the individuals appointed by Mr. Jefferson, who have abused their trust and defrauded the public. The sums which have been lost by these persons would

support the government of the state of Massachusetts more than three years.

It ought not to be omitted that there is a most material change as to public confidence in post offices. There are complaints that when political information is to be communicated, that which proceeds from one party is sure to find its destination, while that of the adverse party is almost equally sure to fall short of it.

PROOF 2.

THE FAMOUS REPORT OF LEVI LINCOLN AND OTHERS OF THE COUNCIL.

Levi Lincoln Esq. and his associates, who constituted the executive counsel of this state from May 1807 to May 1808, deliberately and unblushingly put on the files of the council chamber their earnest recommendation in writing (signed with their own hands,) to the Governor to pursue the same intolerant course which Jefferson and his creatures had pursued, and hurl from office every man, from high to low, who did not openly and avowedly think and act with their party. Their words are, "It would be arraigning the wisdom and justice of the national administration; a censure and reproach of its most deliberate acts"—not to displace every man not known to be in sentiment with themselves.

PROOF 3.

ATTEMPT IN CONGRESS TO *GAG* THE FEDERAL MEMBERS.

The present majority of the House of Representatives lately made and supported a motion by which they could, at any moment, by moving for the previous question, silence debate, and carry their measure. The object doubtless was to keep from the public a knowledge of their proceedings, and to save themselves from the pain of hearing *the truths* which federalists utter.

PROOF 4.

THE CRY AGAINST FEDERAL MEN, AND THE FEDERAL PRESSES OF TREASON AND SEDITION.

At the last session but one of the legislature of this state a Mr. Crowningshield moved that the House of Representatives should approve of the wisdom of the national government in laying the embargo, &c. The report of the committee, drawn up by our worthy chief magistrate, and adopted by the House, and which had a most important effect in removing the obnoxious restrictions which then existed, has been uniformly held up in all the democratic papers, and even in debate in the legislature, as sedition and rebellion.—The discussions whether public or private which take place on the subject of national concerns, are all treated in the same manner. The object of the reigning party seems to be, to silence every inquiry into the conduct of rulers who hold their offices by election !

PROOF 5.

JUDGE RAY GREEN'S COMMISSION.

The Hon. Ray Green, of Rhode-Island, had been duly nominated to the Senate as District Judge of that State—The Senate ratified the appointment—The commission was signed—Here the powers of the Executive ceased—The commission was the property of Mr. Green—But Mr. Jefferson forcibly *seized this paper*, against law and suppressed it, and nominated another man to the office.

PROOF 6.

THE SUPPRESSION OF THE COMMISSIONS OF THE JUSTICES OF COLUMBIA DISTRICT.

Mr. Adams appointed certain persons Justices of the Peace within the District of Columbia. The commissions were regularly signed, sealed and issued, and left in the office of the Secretary of State, to be delivered to the persons to whom they were addressed. But

these persons were *federalists*; and although a right of property in these commissions was vested, they were suppressed and destroyed, and other persons agreeable to Mr. Jefferson appointed.

PROOE 7.

THE BATTURE AND GEORGIA LAND.

The proprietors of a place called the Batture at New-Orleans, recovered by force of law, in the regular judicial courts of the territory, possession of this tract. But the United States had a claim to it, and no judicial course was open to them.

Mr. Jefferson ordered a file of soldiers to turn the proprietors out of possession, and it is still retained by military force.

The same arbitrary principles and conduct have been exercised towards a very meritorious and suffering class of people in New-England.

The State of Georgia sold a large tract of land, realized the money which is still retained, and afterwards by an abominable act rescinded their own grant, on the ground that it was obtained by fraud.

Whether the charge be true or false, is nothing to the innocent purchasers in New-England, who knew nothing of the grant, till the purchasers from the State appeared among them with their grants.

Conscious that this pretence for robbing these unhappy and deluded men would not avail in a court of justice, the democrattick party in Congress passed an act authorising the President to *repel* by military force any attempt on the part of these innocent claimants to take possession of their lands in order to try the title in the judicial courts.

What renders this conduct the more inexcusable is, that commissioners appointed by the government, consisting of the Attorney General and Secretary of the Treasury, had reported in favour of the claims of our unfortunate citizens.

May we not then fairly conclude that we have proved

most abundantly both the frequent violations of the constitution and the intolerance of the ruling party ?

Shall it be said, to the disgrace of our country, that all these proofs will avail nothing, or that they will tend to confirm the partizans of the administration in their support of their unprincipled chieftains ?

If this must be the case, we must not only say that this is the last experiment in favour of a republican government, but that this last one is likely to be abortive.

VII.

INJURIOUS EFFECTS OF THE SYSTEM OF THE ADMINISTRATION ON PUBLICK MORALS.

Perhaps there is nothing in the system of Mr. Jefferson's administration which will be more felt in its consequences, than its influence on the publick morals. Every act of his that has tended to confound moral distinctions, to lessen the respect that belongs to the wise and good, and to encourage the hopes and views of the unprincipled, has done great injury to the best interests of society. The mischief is twofold ; it animates bad and discourages good men. It will continue to increase and spread long after the immediate cause has ceased to operate. It will work invisibly but surely ; and its pernicious effects will be perceived in the general contempt of all moral sentiments, in an exclusive devotion to the views of a faction, and in the pursuit, of selfishness and ambition.

The elevation of a man to the office of President of known infidel principles, the avowed patron of Thomas Paine, gave a shock to the religious and moral sense of the country. It was, indeed, a novel thing, for a christian people to elect for their first magistrate, a despiser of their holy religion ; and many good men were deeply affected by an event so unpropitious to the truest welfare of their country. They did not so much fear a direct attack upon their faith, though it was made by

his friend Paine, in the newspapers devoted to his administration, as the indirect influence and popularity of Mr. Jefferson's philosophick principles, when associated with power and patronage. It was foreseen that the men who had laboured for him would be rewarded with office, and it was known that these men were destitute of all moral qualifications; and had nothing to recommend them, but their zeal and activity in his cause.

Mr. Jefferson has been true to his principles. As soon as he had the power to reward the instruments of his elevation he did it, shamelessly and triumphantly. One of the first acts of his administration, was to rescue Duane, an Irishman, from legal process, by ordering a *noli prosequi*, and one of the last was, to make this fugitive from the justice of his own country, this libeller of Washington, this infamous abettor of all the insolence and injustice of France, a *colonel in the army of the U. States !!* Gen. Wilkinson too has been supported by Mr. Jefferson, as commander in chief, against the most unequivocal expression of the publick sentiment, and in spite of the abhorrence and contempt of a majority of all parties. In this instance, he seems designedly to have set publick opinion at defiance, and like a true despot, to have cherished his favourite in proportion as every body else hated and despised him. No other sovereign could have retained such a man in such an office; no, not even Napoleon himself; yet Mr. Jefferson has been able to uphold this *putrid* general, and he has done it with as much complacency as though he had not become too *offensive* to be endured.

Callender, another libeller, who had been extremely useful to Mr. Jefferson, and who had received from him money, as an encouragement and reward for his labours, and who had been convicted and fined in the circuit court, was pardoned, and received back from the marshal the amount of his fine. This was done after the fine had been paid to the marshal, and had become the property of the United States, in violation of

all legal principle as well as the common sentiment of justice. To these might be added the pardon of Jones, and of Lewis Freeman, a notorious counterfeiter, who had applied to Mr. Adams for a pardon, which was refused; but enough has been mentioned to shew that he has pardoned criminals when convicted, and promoted them before conviction to offices, merely from political considerations.

These examples have had imitators among some of the governors of democrattick states. In Maryland, governor Wright exercised the power of pardon, in favour of the ring leaders in a riot, who had assaulted, tarred and feathered a man by the name of Beattie, for uttering some expressions displeasing to the mob of Baltimore. The supposed offence, in this case, was altogether of a political nature; it consisted in the mere expression of some political sentiment, and the interference of the governor from political motives, to rescue the culprits, who had been duly convicted in a court of law, from punishment, was a high handed outrage upon all the principles of order, law, and justice.

The state of Pennsylvania may now be considered as in the second stage of democracy; of course, we should naturally expect to find more ignorant and violent men in office, more division and animosity among rival parties, and more confusion and violence through the state. The present governor Snyder was elected by a large majority, and declared to be by all his political friends, a most intelligent and honest man. Duane, his former friend and most efficient supporter, has recently charged him with having fraudulently altered the date of an important letter, communicated to the legislature, and afterwards to have added a falsehood to this species of forgery. Whether governor Snyder is a felon or Duane a liar, it is of no importance for us to know; but this we do know of his excellency, that he ordered out a military force, to resist the marshal of the district, in executing civil pro-

cess, and that his conduct has been approved by a great majority of the state legislature.

The administration of the state governments has been changed by the same acts and delusions that brought Mr. Jefferson into power. The men who have held or now hold the principal offices, obtained them as he did; by a hypocritical pretence of regard to the rights of the people,—by associating themselves with the prevailing popular prejudices and passions, by the excitement of groundless fears, by the allure-ment of false hopes, by misrepresenting the motives and measures of their opponents, by calumny, by fraud, and by falsehood. Offices have been distributed in the same manner among the zealous and the active, and the question has never been with them any more than with Mr. Jefferson: “Is he honest, is he capable, is he faithful to the constitution,” but is he a partizan, has he influence, and will he be faithful to us or to his party? The plan of proscription, proposed by his honour Levi Lincoln, in his report, would be adopted in this state if ever the people should loose sight of their true interest, and suffer themselves to fall under democrattick rule. The power of pardon would be exercised to screen from punishments, political adherents, who had received sentence, and the jail and the pillory would be robbed to increase the ranks of party.

The effects of such a system are too corrupting to continue long. The exercise of the power of pardon from political motives corrupts the very fountain of justice, and amountsto a license to commit crimes. The law is no longer dreaded as the avenger of wrongs done to the person or property of any member of the society, when the culprit sees a power above the law ready to interpose in his behalf at the moment sentence is to be executed. The men invested with this power are regarded as the friends and patrons of all who have aided their views, or can help support them in office. Such a sentiment thus produced, would operate like an indulgence to commit crimes, to be had by all who should be wicked enough to pay

the price. It would necessarily collect about such an administration, as its friends and supporters, the selfish, the unprincipled, and the profligate; the men who needed and the men who wished to be protected against the law; and it would necessarily exclude from its circle the men of honour, integrity, and virtue. Has a crime been committed? A pardon is at hand. Is an office wanted? devotion to the cause is the price. A system like this sets the whole mass of corrupt passions in motion, on the eve of an important election; it tempts the virtue of the weak, it seduces the wavering and self-interested; it encourages the intriguer and confirms the villain.

The long list of Mr. Jefferson's favourites, who have been rewarded by him for their zeal, with lucrative offices, and who have plundered the people of more than a million of dollars, affords melancholy proof of the truth of these remarks. Skinner, Livingston, Brown, Clark, and many others, were all violent partizans, were all rewarded with offices, and have all since turned out to be public defaulters.

2. The ruinous restrictive laws upon our commerce, continually changing, are not only ruinous to commercial enterprize, but hold out a premium to fraud and smuggling. Nothing can be more injurious to the real merchants of a country, than any uncertainty with regard to its commercial regulations. It requires time and experience for such men to ascertain the advantages of any particular course of trade, to make their calculations on sure ground, and to carry on their enterprizes with success. But if a particular branch of trade, which is lawful to day, becomes unlawful tomorrow, the solid merchants are compelled to embark in doubtful speculations, or abandon all business to adventurers and smugglers. Much time is occupied, and many voyages delayed, in order to ascertain whether this or that bill will pass congress, as their destination and eventual success are made to depend on the endless and ever-varying caprice of that body. A more effectual method than this cannot be devised to

drive from all concern in business, the experienced and honourable merchants of this country, and to introduce a body of needy and desperate adventurers in their places, who would defraud the revenue, and destroy all mercantile credit at home and abroad.

Before this wretched system of commercial restrictions had been devised, the character of our merchants stood higher, the revenue was better collected, and with fewer officers, than can be found in any other part of the world. These men knew that a revenue from commerce was indispensable to the operations of the new government, and they were disposed to give the system a fair trial. Of course they cherished a sense of the strictest punctuality, and frowned indignantly upon every attempt at evasion of the revenue laws. By such a course of frank, honourable and honest conduct, they secured the interest of the government better than thousands of spies and gun-boats. The honourable sentiments which were found in every man's breast, were the sure pledge of a fair collection of the revenue ; they rendered evasions and frauds not only dishonourable, but almost impossible. The consequence was, the rapid increase of wealth, and of revenue, the establishment of a solid credit, the encouragement of agriculture, and general diffusion of prosperity.

This invaluable system of commercial manners, this nice sense of honour, this regard to punctuality, this concern for the due collection of the revenue, are in a great manner broken down by the vexatious and odious restrictions upon commerce. So strongly has the public opinion set against these laws, that to evade or violate them has not been disreputable ; and what must be the condition of any country, where a violation of the law is in accordance with the general sentiment. The folly of making such laws can be equalled only by the folly of persisting in maintaining them, when the power to enforce their due observance is lost. That these laws have not been and cannot be executed, we

have the most abundant evidence ; I need only refer to the records of our courts.

Who then, let us ask, are most to be blamed for this debasement of national character, this corruption of the public manners and morals ? We answer, the government. They have laid snares for the people, by compelling them to choose between evasions of the laws and absolute want. They have held out the temptation of great profit to the indigent, the avaricious and unprincipled, by interdicting the customary trade of the country. The desire of great gain has triumphed over better principles. The whole system is so detestable in itself, and the causes of it so base and dishonourable, that any attempt to set it at defiance has been considered as a venial offence. The morals and manners of no people on earth, would be proof against such an unnecessary and ruinous course of policy. It is not in human nature or human virtue, to sustain uninjured such multiplied temptations, and let those who have needlessly and wickedly brought on the trial look to the consequences.

The ruin of our commerce and the corruption of our morals are not the only evils that have resulted from this execrable system of commercial restrictions. The government have boasted of its power over foreign nations, as superseding the necessity of all warlike preparations, and as containing within itself such means and energies as would bring the proudest and most powerful of them at our feet. The experiment has been made, and the result has been both ruinous and disgraceful to ourselves. Foreign nations have learned the comparative unimportance of our trade, and the impotence of our coercive measures. Mr. Armstrong, our minister at Paris, in a letter to Mr. Madison, says, eight months after the embargo was laid, that in France it is not felt, and that in England it is forgotten. This same minister, in a letter to Mr. Pinkney, says, that all the measures hitherto adopted, to compel France to do us justice, have done no good. "Nay, (says he) the repi-

tion of those may be fairly presumed to have *done mischief*, inasmuch as it has tended to establish a creed, that words in some form or other are the *only means* we have to employ." France hates us, a nation of shopkeepers and traders, but she despises us more for our want of "military means, and military virtues" The evils and their causes, which have been displayed in the preceding pages, demand the most serious consideration of every friend to his country. Is there any remedy, and if so, where is it to be found, is the enquiry of many an anxious mind. The states south of New-York, with the exception of Delaware, are devoted to the views of the administration, and have mostly pledged themselves to support its infatuated measures. At present, there is no hope that an apprehension of impending evils, a sense of danger, a fear of an unnecessary and unjust war will be excited in that section of the country, sufficient to check or controul the ominous career of the government. Where then can be found that manly and inquiring spirit, that long cherished regard to the civil and religious liberties of the country, that well-founded dread of France, her adherents, her arts, and her arms, and that just, temperate and conciliatory disposition towards England, which, in the present state of the world are indispensable to our salvation? If these exist at all, they will be found in the northern section of the Union, there the hopes of the country rest, and there its great interests are to be contended for, by all authorized means.

We have exhibited in detail the proofs of the hostile temper of the administration towards England, and of its subserviency to France. Alarming and even terrible as this aspect of our affairs is, a union in sentiment and object of New-York with New-England, would form such a counterpoise, as to save the country from falling into the arms of France. A distinct and unequivocal expression of the sentiment of this section, manifested by the approaching elections would carry discomfiture and dismay into our national councils, and

save us from the shock of a British war. With such a force of sentiment and opinion against them, the administration would not dare to hazard a war with Great Britain nor an alliance with France. Kentucky and Georgia might demand a war, but such clamour would not be relied upon, as furnishing evidence of the means and resources to carry it on; no, the administration know very well where the money is to support the war, and where the men are to fight the battles. They have not forgotten that during the first year of the revolutionary war, the single State of Massachusetts sent into the field, besides militia, more than sixteen thousand regular troops, and that during the whole period of the war, Massachusetts and Connecticut furnished nearly one half of the standing disciplined force of the country. New-York and New-England together comprise a population of about two millions and an half, and have paid on an average more than one half of the whole revenue of the United States. A large portion of the population of New-York is of New-England origin, the interests and pursuits of both are the same, and it cannot be doubted that ere long their views and policy will be the same. These are important facts, well known to the administration. They must and will have weight in all calculations of national strength and resources. If then it is distinctly seen that this section of the country is opposed to the late daring and ruinous measures of the administration, it will control the consequences of them, or prevent their repetition.

Here then are motives ample enough for the most enlarged patriotism, and of such commanding importance that indifference and indolence can no longer resist them. The friends of the *peace* and *independence* of the country are called upon by all honourable means, by every honest exertion, and by unremitting labours to preserve those blessings to themselves and their children. The crisis is at hand; the result of the ensuing elections will probably decide the question of peace or war. It is no time for the indulgence of paltry passions and prejudices, or the discussion of minor differences in sentiment;

these must all give place to the great concerns of general safety. A sense of common danger must and will unite all in measures for the salvation of all. Men must speak the truth fearlessly, state facts boldly, and urge home to the bosoms of their neighbours the inferences that necessarily follow. There must and will be a general co-operation among the men of talents and virtue throughout the country, an unity and concert in action, a fixed resolution, to expose the causes and consequences of the ruinous measures of our rulers, a settled determination, that if their country must fall they will remain to the last *guiltless*. To furnish in part the means of doing this great work, successfully we have with some pains and labour given an outline of the history of Mr. Jefferson's policy, in which we trust the facts we have stated will operate as powerful motives to the most strenuous exertion.

The contest with our political opponents is not limited to the election of this or that man to office ; but it is to influence and probably decide the future character of our national policy. Our administration are anxiously looking to the result ; for, by this their own course will be shaped. Such is the nature of our government, that publick opinion will be felt, it will have a controuling influence ; and this opinion cannot be so forcibly expressed as by our elections. Let every man carry with him the sentiment that his domestick and fireside enjoyments, the security of his property and person, the continuance of his civil and religious rights may all depend on the vote he may give ; for a war with Great Britain and the consequent alliance with France, involves the existence of all these. Of the imminent danger of such a war and its consequences our readers must judge for themselves, from the facts and reasonings in the preceding pages. Whether we prevail in such a contest or are defeated, the consequences to us will be alike disastrous. An alliance with her enemies will be inevitable, nay, our own government have long since pledged themselves to become

the ally of France on certain conditions. In the event of a war with England these conditions would of course be complied with, and we should be bound hand and foot, and linked to the destinies of France. Does any man in his senses believe that our independence would long survive such a connexion?

If, however, in spite of all our efforts, we are to be driven into an unjust and unnecessary war, it will at once be perceived that its burdens and its privations will fall most heavily on this part of the Union. Our trade and our fisheries will be cut off, those great sources of our wealth and prosperity. We are aware, that the advocates of such a war look to our success in privateering as an indemnity for the loss of our commerce; and appeal to the captures made in the first years of the last war as evidence of what we can achieve now; but let it be remembered, that Great Britain then had not as she has now the command of the ocean. The naval force of France was then nearly or quite equal to her own; united with that of Holland or Spain it was superior; now the naval force of the world is inferior to her own. But even those who rely on our power to capture British merchantmen well know that all the valuable trade of England is now protected by convoy, and that during the last years of the war, when experience had taught the necessity of this precaution, our privateering was a most unprofitable business. At this moment such is her naval superiority that she is able to blockade every port of the U. States, and have force enough left to cope with all her other enemies. A war then would certainly destroy our commerce, and with it would decline our agriculture, our arts, our industry, our enterprize, together with all the virtues of civilized life. Thus excluded from our element; what benefits could France give us, if she had the disposition? Could she protect our trade when her ships are blocked up in her own ports, and she can only venture on the ocean in a few skulking privateers? But if the great emperor was able he is

not disposed to encourage or protect the commerce of his own subjects. He hates commerce, because it is his enemy; he hates and despises us for our devotion to it; yet with the Dutch we shall be compelled to exhaust the last cent of our resources in order to conquer the freedom of the seas. The melancholy catalogue of republicks and states, once prosperous and independent, that first became the allies and afterwards the victims of France, ought surely to be a warning to the only remaining republic in the world.

As a moral and religious people, we are bound, as we would avoid the just indignation of heaven, to protest against an alliance with a nation, that has attempted with fatal success, to root every sentiment of religion from the hearts of men, and that now employs the corrupt system of the Roman Church, as a political instrument, a mere auxiliary of state policy, designed to rivet more strongly the chains of despotism. As christians, we ought to listen to the warning voice of the prophet, "come out from among her my people, that ye be not partakers of her sins, and receive not of her plagues."

Are the people of this portion of the union prepared to encounter the miseries, the privations, the long protracted distresses of a British war, and the still more dreadful calamities of a French alliance? If our national rulers, deaf to the voice of our complaint, and unmindful of our most valuable rights and interests, persist in their ruinous course, till we are hurried to the very verge of destruction, shall we *submit* to be thus sacrificed?

In considering this momentous question, we are inclined to think, that such is the attachment of the New-England people to the union, so great their regard even to a violated constitution, so strong their feelings and habits of order, that they would support with their treasure and blood a war, the causes of which they detested. They would consider, that though this was not a war of their own seeking, but one to which they had been opposed, as unnecessary and unjust, still it was a war made by the rulers of this country, for whose wel-

fare and independence they feel the deepest interest. In the first years of such a war, they would doubtless furnish supplies of men and money, in as great abundance, and with as much promptness as the men of the south, those wordy persons, who have so often declared, that nothing but blood can cleanse the stains upon our national honour. Such men would make, as in the last war, great paper preparations; while in New-England, the regiments would be full, with arms in their hands, and courage in their hearts. Kentucky, and Virginia, and Georgia would be clamorous for the invasion of Canada with New-England troops, and perfectly willing to pay their own unarmed, undisciplined recruits, who staid at home with the New-England money.

But even the people of New England would come to a pause! They would, in less than two years, feel more keenly than they do now, that the war was unjust in its origin and ruinous in its consequences; a war, in which, they could not with confidence invoke the God of their fathers for his support and blessing. They would perceive that its burthens pressed most heavily on them, that their commerce and fisheries were destroyed, the products of their farms scarcely worth the labour they had bestowed; their taxes increased, while the means of paying them were diminished, their sons employed in a distant service, or slain in the battle, and their bones left to bleach upon the hostile field. They would be deeply sensible, that the great objects of the social compact were defeated, by the operation of such a war, that domestick tranquillity was not insured, that justice was not established, that the common defence had not been provided for, nor the general welfare promoted, and that the blessings of liberty, instead of being secured to themselves and their children, were in danger of being lost forever. Thus oppressed, exhausted, and alarmed, detesting the causes of the war, and looking forward to the fatal termination of the alliance with France, would they not find themselves reduced to that state of extreme necessity which always provides for itself? Would

they not, in such a case, feel compelled to seek by the law of self-preservation, their safety by a separate peace, and to leave the southern states to prosecute a war, which they had most wantonly brought upon the country? They surely could not complain, if they feel all the contempt for us which they profess, nor would our retreat from the contest in their estimation lessen the probability of success. They might continue to indulge their animosity towards Great Britain, and to fraternize with the hordes of Louisiana, and leave us by our accustomed trade and industry to repair the ravages of an unnecessary war, and to fortify ourselves against the arts and the arms of the real and deadly enemy of our independence.

For ourselves, we do believe that the people of New England would not yield their necks to the French yoke without a desperate struggle. Like the Swiss, who were ensnared by professions and deluded by promises, who were deceived by their own rulers, who had become the corrupt instruments of France, they would awake, perhaps, too late for the salvation of their country, but soon enough, we trust in God, to escape the spectacle of its ruin. Like the Spaniards, they might be environed and assaulted by their allies, treated as rebels and outlaws: but like them, exasperated and driven to madness, they would not spare the traitors, who had made a league with the common enemy of mankind, to ensure the destruction of their country.



[Perhaps the authors of this work owe some apology to the publick for the imperfect state in which it is now presented. They are sensible that many more facts and arguments might have been added in support of the opinions they have maintained; but a sense of public danger and the importance of the crisis, have compelled them to send it to the press, in detached portions, without alteration or revision.]

N O T E S.

NOTE 1.

WE have said, that among all the complaints against the standing army in the Federal administration we did not know that they had ever interfered with the *civil power*, or been charged with personal injuries to the citizens—since the Democrats have had the management of the army the instances of their employment against the people, as well as of abuses of power have been numerous.

1st. Wilkinson put the whole city of New Orleans under military law—he seized several citizens without pretext by force, and sent them under guard to Washington, though congress did not see fit to sanction it by suspending the habeas corpus. He refused to obey the precepts of a regular judge having competent authority to issue a habeas corpus. *Neither* of the persons seized by Wilkinson was ever tried, yet congress by the influence of the President refused to impeach him.

2dly. General Dearborn wrote to Colonel Boyd not to permit any vessel to pass the castle at Boston, *contrary to law*, which he explained by saying that no vessel *could be cleared till a collector* was appointed. The truth was that General Dearborn was then collector, but it was not convenient for him to come on, and therefore, *ad interim*, he shut up the port by military force. Colonel Boyd explained that letter (after a great clamour was made and a memorial sent to our Legislature,) to mean that he should not permit a vessel to pass without a *clearance*, but that he should have taken Mr. Lovell's, the Naval officer's, clearance and *permitted a Vessel to pass*.

If he would *so have done*, we say he would have *broken his orders* which are express, "that no clearance *can* be received until a Collector should be appointed."

Such we say was the construction at the Custom House, and if such had not been General Dearborn's intention, why not write to Mr. Lovell to that effect? Thus the harbour of this Capital was blockaded by our own military force *contrary to law*.

3dly. Several towns in this State and Vermont had troops quartered in them with the avowed object of overawing the people and enforcing an arbitrary, unconstitutional act by the bayonet, when the *Civil Power* had never been resisted or even tried.

4thly. In the State of New York last year a Captain in the service of the United States, preferring the sword to a process of Replevin entered a schooner belonging to a citizen and turned him out by military force. This was done not under pretence of seizure for breach of law, but because the Captain claimed to have *chartered* her.

5thly. A late most horrible catastrophe shews the danger of quartering a profligate and licentious soldiery among the people. A Mr. Grayson, of Carlisle, in Pennsylvania was murdered in his own house by four soldiers of the United States without any sort of provocation.

There was a time when such an act would have been called a *Massacre*, and its anniversary would have been kept by solemn processions, and animating orations to keep alive the hatred to unprincipled power. But such days are gone!

Two of the officers of the U. States army were lately tried & cashiered in Virginia, the specifications of whose offences were of such a nature as to make a man blush for his country and shudder for the safety of a people whose rights are exposed to violation by such men. How indeed can we hope for any thing better, when the army is commanded by a General of most profligate character, a man who is *charged* with *treachery*, who has been proved to have squandered the publick money, and is still protected and encouraged, who encamped his army in a spot where he must have known they would inevitably perish, and where they did perish most miserably and whose character and conduct has so disorganized the military establishment that fifty one officers, out of an army of two thousand men, have been compelled to resign.

NOTE 2.

That our Government had in effect no reasonable apology to reject Munroe and Pinkney's treaty is evident from the following extracts from the *official letter* of Colonel Munroe, dated February 28, 1808, and communicated to Congress by the President. "The idea entertained by the publick is that the rights of the United States were abandoned in the late negociation, and that their seamen were left by *tacit acquiescence*, if not formal renunciation, to depend for safety on the mercy of the British cruisers. I have on the contrary believed always, and do still believe, that the ground on which that business was placed by the British commissioners in their paper of November 8, 1806, and the explanations which accompanied it were both *honourable and advantageous* to the United States, that it contained a concession on the part of Great Britain never before made by any formal and obligatory act of the Government, which was highly advantageous to their interest, and that it also imposed on her the obligation to conform her practice under it till a more complete arrangement could be made."

Colonel Munroe proceeds to state the manner in which he had arranged this question of impressments, and he replies to the objection of the Government that the agreement was *informal* only by an argument which *silences them forever*, and which *ought* to silence their partizans.

He says that Mr. Madison in his letter of February 3d, 1807, authorized the commissioners to make an *informal and verbal* arrangement not only with respect to impressment but every other subject in dispute,

“and we were authorized to give assurances that so long as such an *arrangement* (a verbal and informal one) should be respected in practice the President would recommend to Congress not to permit the Non Importation act to go into operation, and would in the interim suspend it.”

“By this letter, says Col. Munroe, the arrangement we had sanctioned, comprising the *informal* one relative to impressment & the treaty on the other topics were *rejected*, and in lieu of it we were *instructed* to enter into an *informal understanding* and arrangement of the *whole subject*, and as was to be fairly inferred on the same conditions”—Strange contradiction to be sure!! to reject a solemn treaty because it was accompanied with a written but *informal* bargain about Impressment, and yet *direct* the same ministers to make a new bargain wholly *informal* on the *same terms*!!

Well may the legislature of Massachusetts declare, that they can see no disposition in our rulers to settle with Great Britain, when they find them rejecting *such* a treaty for *such* reasons. Here is an end to the clamour about *impressment*. Great Britain has settled it *once* and settled it in the *very manner* proposed by our government, and the foregoing extract from the official files of Congress proves it.

We have said in the text, that Munroe could have renewed the old treaty, but Jefferson would not let him. On examining the thing more narrowly, we find that Jefferson told the British government that he would make *no treaty* with them during the war, and that he so instructed Col. Munroe. On the 7th August, 1804, Munroe thus writes to our secretary of state, Madison. “Lord Hurrowby asked me how we viewed our treaty. He observed, he meant the treaty of 1794, which was to expire in two years after the signing preliminary articles of peace between Great Britain and France. He wished to know whether we considered it expired. I told him that I thought it had; he said it seemed to him doubtful whether the stipulation had been satisfied by what had occurred since the peace, that a fair construction might require *two years continuance of peace* after the war, which had not taken place in form, much less in fact, &c. After some conversation, he said, what then is the subsisting relation of the two countries? Was it such as it had been after the American war? He said it produced some embarrassment, and asked if we should be willing that the treaty of 1794, should continue in force till two years after the peace?”

“I told him that I had no power to agree to such a proposal, that the President, animated by a desire, &c. had been disposed to *postpone* the *regulations* of their general commercial system, till the period should arrive when *each party* should enjoy the blessings of peace.”

Singular and infatuated policy! Postpone arrangements which we most need in time of war till the arrival of *peace*!—Postpone arrangements with a belligerent, pressed by a *great enemy*, and disposed to make concessions on that account, till he has no enemy to encounter!! Postpone the treaty with a great commercial state till a peace, when all commercial powers straighten their indulgencies, and encrease their commercial restrictions!! This may be good policy for Virginia, but it is a wretched system for New England.

Lord Harrowby added to Mr. Munroe, "that though the treaty had expired, the ministers would take the risk upon themselves, though not authorized by *law* to continue to respect its stipulations, if our government would do the same."—*Even this proposal* was received with cold disdain by our cabinet; and hence our citizens have been left without protection from 1804 to this day, because Mr. Jefferson chose to postpone any agreement till a general peace.

NOTE 3.

In 1787 a British officer, capt. Stanhope, commanding a sloop of war, while lying in Boston harbour, addressed an insolent letter to Gov. Bowdoin. That dignified magistrate, instead of a vapouring proclamation, forbidding all other British vessels to enter our ports, laid the affair before congress, who complained to the British government, and capt. Stanhope was immediately broken. A similar case occurred with respect to a capt. Loring, during Mr. Adams's administration.—There, however, a public ship of war of the United States was compelled to submit to a search—Mr. Adams did not forbid all other British ships to enter: he complained without exciting the rage of the country; and the officer was punished. This case *proved* that Great Britain did not claim the right to search public ships, and ought to have satisfied Mr. Jefferson that Berkeley's conduct would be disclaimed.

NOTE 4.

It has been frequently asserted that the British government had inflicted no punishment on admiral Berkeley, for his attack on the Chesapeake; and our government have insulted the British cabinet, by declaring that it would have been for their honour to have punished him. All this is founded on a mistake—Admiral Berkeley has been severely punished. One can hardly conceive a greater punishment to an officer of high rank, than to have his conduct openly disavowed and censured in the parliament of his own country. But he was still further punished; he was recalled and deprived of a lucrative command; he was kept for nearly two years in a state of obscurity and disgrace—and although the government have since restored him to command, yet he has suffered as severe a punishment as would probably have been inflicted upon him by a court martial.

So also in the case of Capt. Whitby, though he was finally acquitted by a court martial, on the ground that he was not on board the *Cambrian*, at the time when the gun was fired which produced the unfortunate death of Peirce, yet he was kept two years in a state of arrest and disgrace.

We have only to compare this conduct of Great Britain with that of our own government, in the case of the Capt. in our service, who last year entered the British territory, seized a school-master in his school, under pretence of his being a deserter, and who in a very few months after was tried, and had his sword returned to him with honor.

This subject has never been even mentioned to the British Parliament, nor has it been used as an offset to our complaints in the affair

of the Chesapeake. Yet no man can doubt that the territorial rights of a country are more sacred than the rights of the flag.

NOTE 5.

That the public may form an idea of the sort of subserviency and degradation of our ministers at the court of Bonaparte, and of their disposition to flatter him at the expence of our neutrality, we insert the following extracts from Mr. Livingston's letter, published in Paris. Mr. Livingston, on the 26th March, 1804, in answer to a letter of M. Talleyrand, in which he invited all the public agents to censure Mr. Drake, the *British Minister*, thus replies, "That Drake's correspondence was carried on for *objects*, which all civilized nations must regard with *horror*, and that *horror* must be increased when we see that it is a minister, who thus *prostitutes* his sacred office; when a subaltern agent commits a base or atrocious act, it is supposed he may be actuated by personal interest, but the actions of a public minister are generally attributed to the *Government he represents*."

Was there ever such an insult known towards a nation at amity? What had we, what had Mr. Livingston to do with Mr. Drake's conduct? Was it for us to step in between France and Great Britain and condemn the latter, when we have quarrels enough of *our own*: This conduct was most disgraceful, and it exceeded in submission that of any of the representatives of the little tributary states. Our government were obliged to disavow this language, but Great Britain delicately abstained from making it a subject of public discussion. Mr. Livingston however, felt the effects of it in his visit to England, where he found that he was treated, justly treated as a French spy. For a man's heart must have been wholly devoted to France, who could so far lose sight of the honour and interests of his country, as thus wantonly to insult a foreign nation, with whom we were *then*, 1804, upon the *most friendly* footing.

Mr. Livingston not satisfied with this abuse of Great Britain, concluded his letter to the *Tyrant of France*, in these complimentary words, that, "to the First Consul, in the name of the American Government, he tendered the most sincere felicitations, at his having happily escaped the attempts of his enemies, directed not only against his *life*, but what was infinitely dearer to his (Bonaparte's) heart, the happiness of the nation of which he is the chief."

The American minister here undertakes to assert that Mr. Drake aimed at Bonaparte's *life*; that he was an *assassin*! and in the former quotation he considers it the act of the British Cabinet! And all this too in a *case* when every man of sense knew that it was all a *farce* to cover the dark designs of Bonaparte against the poor remains of the Bourbon race.

Thus in the succeeding year he played the same game, in order to sacrifice his rival Moreau, and assassinate the unfortunate Pichegru.

This *second* conspiracy was the pretext of his assuming the Imperial Purple. What a piece of fulsome adulation and contradiction, to hear an American minister, a professed republican, tell this self-eve-

ated Consul, that he knew that he *the Consul* had more at heart the happiness of the French people, than the preservation of his *own life*.

This same Mr. Livingston, in his memorial about Louisiana, addressed to Bonaparte, has the following abuse against Great Britain.

"I have observed," says he, "that France and the United States are in a respective situation so fortunate as to have no points of collision. They may *assist* each other without ever being tempted to hurt each other in any manner. This commerce is useful to both; this *union of sentiments and interests* rests upon principles which ought to form the maritime code, and *deliver the universe* from the TYRANNY of Great Britain, which she maintains, and which will never be *combated* with success, until *the other powers*, by *uniting*, will *abridge her MEANS* by transferring to nations more *moderate*, a part of her commerce."

[See Livingston's Memorial.]

Here then we have the whole policy of France and our government fully explained *six years* ago. It did not originate in the mission to Russia, nor in the Berlin decrees, nor in the embargo, all these were only executions of the plan proposed by Robert R. Livingston, Esq. in 1803.

NOTE 6.

Notwithstanding what we have said against the administration about the Beaumarchois claim, we would pay due credit to Mr. Gallatin, and to *one* committee of congress for having most decidedly rejected it. The disgrace of the transaction probably rested with Jefferson, who shifted it off upon Cæsar Rodney the Attorney General. For after all this examination and opposition of Mr. Gallatin and a respectable committee, it was referred to Mr. Rodney, who reported in favour of it, and it would have passed if it had not been so ably opposed by a writer in the New-York papers, who was perfectly acquainted with the whole transaction.

NOTE 7.

It has been said in the text, that Spain reluctantly acceded to the cession of Louisiana. Upon perusing all the correspondence and documents on that subject, and the President's several messages, we find that she did not even accede to the cession, but with great difficulty, and has continued to claim, and does claim the whole of the *west Bank* of that river, so as to reduce down that mighty purchase to what Mr. Jefferson calls a "strip of Land."

Governor Claiborne, of Louisiana, thus wrote to Mr. Madison, on the 26th Aug. 1805.—"The report of the retrocession of the West Bank of the Mississippi to Spain, had prevailed at New Orleans. He said that the Spanish Marquis Casa Salvo had told him, that the Minister of State, Cevallos, had informed him, that the desire of the Court of Spain was to make the Mississippi river the boundary, and in *time it was expected*, that that object would be obtained."

This is the claim which Talleyrand supports, and for which we have got either to fight, to *repurchase* it, or relinquish it.

But we find that we have not only got to quarrel with France or Spain, about the West Boundary, but we have an actual dispute with G. Britain, about the north boundary of Louisiana. And this is not the

worst of it. This dispute has prevented the settlement of all our other boundaries with Great Britain.

On May 12, 1803, Mr. King signed a treaty, settling all our boundaries with Great Britain, not only *pursuant to instructions* generally, but the *precise descriptions* were adopted in the treaty which Mr. Jefferson and Mr. Madison had drawn up and sent out, with, as I have understood, no variation.

When this treaty arrived, it was *rejected*, without any other reason, as appears by Mr. Madison's letter to Munroe, of February 14, 1804, than that we had bought Louisiana, in the mean time, after the instructions were given, and our government thought they could, by hunting up some old French claims, under the treaty of Utrecht, enlarge the boundaries of this favourite province, and encroach a little on the waste lands of Great Britain. Unjust and absurd, therefore, as it would be to dispute our *own lines*, as settled between us and Great Britain, in 1783, yet they preferred to set afloat all our boundaries, rather than to give up this contested claim, which Great Britain will probably never yield.

When the treaty was sent back with the article struck out, which Mr. Jefferson thought might, about two or three centuries hence, affect the extent of Louisiana, the British ministry were vexed at this quibble, and refused to make the alteration, and thus the whole treaty fell to the ground.

That the people may judge how disposed Mr. Jefferson and Mr. Madison were to grasp at shadows, and lose the substance, we would remark, that this dispute related to a tract of country beyond the Lake of the woods, which will not be inhabited by any beings but bears and buffaloes for five hundred years; and before it is peopled, the United States will be too vast to be governed by such a system as they are now under.

NOTE 8.

We have said that Mr. Adams' mission was most singularly explained by cotemporaneous expositions in France. We do not ask for any unreasonable jealousy. Jealousy is a quality of a weak and narrow mind, but we are at a loss for an honorable explanation of this strange coincidence. We do not see how the Emperor of France, in October last, should have perceived, in the *apparent equality* of our laws against France and England, proofs of a growing coolness and prospects of a sudden rupture with England, and a speedy connection with France. We ask the administration and its friends, to account for this extraordinary appearance, and also for the apparent connection of our embassy to Russia, and the dismissal of Mr. Jackson, with the French wishes and views; or are we to believe that France is disposed to approve every thing we do, though *apparently hostile* equally to her and to Great Britain.

In November last, Francois de Neufchateau, late President of the Conservative Senate of France, published in Paris a pamphlet on political affairs, in which, speaking of the United States, he says, "that America will make common cause with France, and the northern pow-

ers, against Great Britain; that it is beyond a doubt the Swedes will treat with Denmark, with Russia, and obtain from France an oblivion of the past. On *their side, too*, the *United States* approximate as *much as possible* the powers of the *North*, by bringing as a *first* guarantee of their amicable disposition, the *resentment* which has been produced by the conduct of England towards them; that their ambassador to Russia had already arrived, and that the Americans will *do more*—They *will reject the British minister, Mr. Jackson.*”

Of the importance of this opinion, and of its correspondence with the Emperor's opinions, we need no further evidence than that *no work can be published* in Paris without the Emperor's consent. The *bastille* is the fate of every man who dares to utter any political opinion, either unfounded or imprudent.

We understand what Mr. Neufchateau means by our having approximated *as much as possible* to the powers of the North. The French know that our government is controlled by public opinion, and that it is not *possible to advance* by direct and open means.

Of the authenticity of this opinion of Mr. Neufchateau, we have the evidence of the *Senate of France*, which, in an answer to the Emperor, declared, “that a *league* was about to be formed for the emancipation of commerce, and the independence of nations, and into which the States of *both hemispheres* are eager to enter.”

But the highest evidence, and one which will not be contradicted by any man of either party, is the late declaration of Bonaparte to his friend the Emperor of Russia, dated as early as Oct. 10, 1809, the whole of which is copied into our papers, and especially the *Patriot*, a democratick paper, where the Emperor says, “that the United States are on the *worst terms* with England, and appear *seriously* disposed to *adopt our system.*”

This, it will be recollected, was prior to the *arrival of Mr. Jackson* in the United States.

The publick must decide whether these extracts do not fully justify the suggestions which we have made in the text, as to the object of Mr. Adams' mission.

NOTE 9.

Mr. Robert Smith, Secretary of State, having been called upon by Congress to report the cases of captures by the several belligerents, made a return on the 12th of January, 1810, of which we have a copy now before us.

From the documents transmitted we find *no evidence, no case, no complaint* as to any one capture by Great Britain.

The papers transmitted are marked from A to E inclusively, and only contain the captures of Denmark.

A statement of French *condemnations* by their upper Courts, is also given.

But no one document is furnished of British capture. Is this owing to *any partiality* for Great Britain? Is this the character of Administration? No. We shall shew the cause of this omission. It is because a statement of British captures would have shewn her con-

duct in an advantageous point of light, compared to all the other belligerents.

The reason assigned by the Secretary why he omitted to give any account of British captures was, that he had a very *imperfect account of them*, and no *official account* had been received.

Let us examine these *two reasons*. Why is the account of British captures *imperfect*? Is it because our people are willing to submit, without complaint, to British captures? Are they backward in transmitting them? We know the contrary to be the fact. All *British captures* are most regularly communicated—First, because we are fully disposed to find fault with her—Secondly, for a much better reason, because we have a hope of *redress* through the government, whereas we have none as to France.

As to the other objection, that the papers are *not authentick*, and therefore the Secretary feels a *tenderness*, an unexampled tenderness, as to Great Britain, and a disposition not to magnify her faults, we observe that this is the first time they ever waited for authentick documents to found complaints against that nation, and the Secretary feels no scruple in giving a list of Danish captures on unauthentick documents.

We shall shew the true reason of this affected delicacy presently.

As to France, we have only a list of *condemnations* by the superior court—not a single capture is stated specifically. Great Britain had *condemned* no vessel by her upper courts, and therefore no case is stated.

But if the Secretary had stated *unauthentick reports* of British captures he would have been obliged to state the long list of French captures, which have exceeded those of the British in the ratio of thirty to one, though France has not more than one fiftieth part of the number of cruisers which Great Britain has.

Another proof of the honorable Secretary's fairness, is, the manner in which he entitles his list of *French condemnations*. He says they include the condemnations of France from *December, 1806, to May, 1809*. In order to make this strictly and literally true, he goes back and takes *one single case* in 1806, and ALL THE BEST were within one year before May, 1809. Why this fraud? Was it to make the superficial reader believe that these were all the captures of France for three years? Let the publick judge.

In this horrible list of French piracies we find four condemnations for the crime of not having *certificates of origin*, that is, for not having on the high seas a paper which neither the law of nations nor our treaty with France require.

We find seven vessels condemned for violations of the decrees of Berlin and Milan; for violations, as the decrees express, of blockade—of Bonaparte's paper blockade.

We find ten cases of condemnation, for having been *visited* by British cruisers—for the act of a superior force, to which the innocent neutral did not submit.

There are twenty cases of condemnation for having been in an En-

glish port, though our treaty guarantees this right, and though the vessels were found on the high seas.

But the true reason why Mr. Smith did not chuse to give a statement of French and British captures reported to his office, may be best understood by the following statement from the Philadelphia insurance offices, by which it appears, that the balance of injury would be so much against France, that it would not do to exhibit the true state of facts.

The losses reported in the insurance offices are better criteria than the returns in the Secretary's office, and if all the offices had made like returns, the result would have been still more favourable to Great Britain, because the Philadelphia merchants carry on more trade with France and its dependencies, in proportion, than many others, and of course are more exposed to British captures.

“ Since the raising the embargo, January 19, 1810, (that is, in nine months) the following losses by capture have been sustained in the insurance offices of Philadelphia :”

By the British.....	Dolls. 30,000
10,000 dollars of which has been restored.	
By the French.....	158,420
of which 38,500 dollars have been re-captured by the British, and will be restored, paying 5,000 dollars to them.	
By the Danes,.....	209,542
Restored by them,	94,500

So that we have been *gainers* by the *British* force nearly 10,000 dollars on property insured in one city.

In the same paper is a list of captures heard of in *one week*, amounting to *thirty-one*, by the *French alone*. Yet Mr. Smith gives a list of not more than *forty*, in all, for three years. How is this? Because he excludes all the cases of seizure in port, and all which have not been condemned by the upper court. We were led into a mistake, from not having Mr. Smith's report before us when writing the text, in stating, that he had not noticed the burning of our ships by the French. The truth is, that the notice taken of it is so slight, and followed up so directly by an apology, “ that it did not appear that such acts were authorized by the government,” that it escaped us. The case does not stand *better* for Mr. Smith. The captain of one of the ships burnt made a protest, under oath, which Mr. Smith will find on his files, in which he states, that the French officer who destroyed his ship, shewed him his *orders*, or read them to him, which was, to burn or destroy every American vessel going to, or coming from Great Britain.

Neither Mr. Madison, nor any of his partizans, have taken any notice of these outrageous injuries.

NOTE 10.

We have referred to a French authentick work, entitled, “ *Politique de tous les Cabinets.*” It may be useful to give some account of it.

On the seizure of the papers of Louis XVI. a secret bureau was discovered, containing the history and substance of the secret intrigues which France had carried on with various nations for nearly a century. It appears from these papers, that France had regularly kept up a correspondence, totally distinct from the public correspondence, and which was always unknown to the Ministers of State. *Secret* agents had been employed for this purpose in different countries, who were not even suspected at home or abroad. However suspicious the world has always been of the intrigues of France, they never had the direct evidence of it, until the seizure of these papers, which were published by authority.

Although the *old story* of our gratitude due to France has been lately dropped, yet as it may be again revived, and as there are not wanting American citizens, who are weak and base enough to *praise* the *professions* of Bonaparte, as to the freedom of the seas, and to pretend a confidence in his sincerity, we shall give one or two examples of the uprightness and sincerity of the French views and professions towards us when we were at war with Great Britain. They will be taken from a memoir of Mons. Turgot, entitled, "Reflections occasioned by a memoir sent by the Count de Vergennes, as to the manner in which France and Spain ought to view the consequences of the quarrel between Great Britain and her colonies."

"It has appeared to me, says Turgot, that the *most desirable* event for the interest of the two crowns, (France and Spain) would be that England should overcome the *resistance* of her colonies, and should force them to submit to her yoke, because if the colonies shall not be subdued but by the destruction of all their *resources*, England would lose the advantages she has hitherto drawn from them, in peace, by their trade, or in war, by their force. If, on the contrary, the colonies, though conquered, preserve their population and wealth, they will preserve the courage and desire of independence, and will compel England to employ a part of its forces to prevent insurrection."

He then proceeds to give reasons why France should not take an active part at that time (April 1776) in the war.

"In the third place, for the *decisive* reason, that an offensive war on our part, would *reconcile* the *mother country* (England) with the colonies, in giving to the ministry a pretext to yield, and to the colonies, a motive to listen to propositions to give themselves time to consolidate and ripen their project and to multiply their means."

These were the motives, views and wishes of the French statesmen, and so little is the reliance you can place on the apparent policy or the professions of that nation.

NOTE 11. .to Page 87.

In speaking of the jealousy of the southern demagogues against the commercial states, we wish it to be perfectly understood, that our remarks are intended to apply particularly to that class of ambitious men who oppose the federal constitution, from the fear of losing their personal influence, and who now, to preserve it, design to enlarge and

perpetuate the influence of their states. These men, therefore, must and will oppose every system of policy, however favorable to the country, which takes away the relative importance of the ancient dominion of Virginia. These are the men who are denounced as ready to sacrifice the commercial states to their "*base selfish policy.*" Though they have inspired many, perhaps a majority of the south, with their dishonourable and nugenorous sentiments, yet there is a strong, firm and honorable body of men of talent, property and influence in the southern states, who fully understand our mutual interest and mutual duties, and who have cheerfully co-operated with the eastern states, in the preservation of the honor, and defence of the commercial rights of the country.

NOTE 12..to Page 87.

The estimates we have given, of the trade of Virginia and Massachusetts, might have been extended and included a statement of the relative amount of the eastern and southern States. But as the result would have shewn the same disproportion as between the states we have named, it was thought sufficient to confine ourselves to this limited view.

NOTE 13—to Page 116.

The following official account, which cannot be read without pity and indignation, gives us a view of the army of the United States.

Officers sick,	114	Privates sick,	621
absent,	86	absent,	399
dead,	16	dead from May 1,	523
resigned,	51	under arrest,	8
under arrest,	2	fit for duty,	276
dismissed,	6		
on duty,	138		

Thus an army of 2354, is reduced to 414 men fit for duty.

NOTE 14..to Page 119.

It has been alledged by the administration and their adherents, that the Embargo was necessary to secure our ships and men from capture by the French and English. . . It was answered, *that the French*, though determined to seize every thing, *had not the power.* . . and *that the English*, who alone had the power on the sea, *had not the disposition to such injustice.* Now the experience of eleven months has confirmed all that the federalists maintained. . . it proves, undeniably, that the risque of capture by the French, on the open sea, is not 2 per cent, although she takes all in her power, and the risque of English capture is not 1 per cent, although she could, if she were disposed, take half our vessels on the ocean. The truth is now notorious, that all the property definitively taken from us by the English, amounts to much less than the property recaptured from the French and their allies, or otherwise protected for us by the British Navy, since the raising the Embargo. The records of the Insurance Offices, and the registers of Marine Intelligence for the last year, amply prove this truth.



